



MEDINA COUNTY, TEXAS

Commissioners Court

Keith Lutz
County Judge

Jessica Castiglione
Commissioner Precinct No. 1

David Lynch
Commissioner Precinct No. 3

Larry Sittre
Commissioner Precinct No. 2

Danny Lawler
Commissioner Precinct No. 4

Courthouse Annex
1300 Avenue M
Room 250
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ORDER PROHIBITING THE DISCHARGE OF FIREARMS AND AIR GUNS ON COUNTY SUBDIVISION LOTS 10 ACRES OR SMALLER

WHEREAS, the Commissioners Court of Medina County, Texas desires to promote public safety and reduce the danger caused by the discharge of firearms and air guns on certain subdivision tracts; and

WHEREAS, Section 235.022 of the Texas Local Government Code authorizes the Commissioners Court of a county, by order, to prohibit or otherwise regulate the discharge of firearms and air guns on lots that are ten (10) acres or smaller and are located in subdivisions which have been platted and filed of record, and are located, all or part, in the unincorporated area of the county.

NOW, THEREFORE, the Medina County Commissioners Court enters the following order in multiple parts as follows:

Section 1 – Definitions

- 1.1 **Air gun:** Any gun that discharges a pellet, BB, or paintball by means of compressed air, gas propellant, or a spring.
- 1.2 **Firearm:** Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.
- 1.3 **Subdivision:** A subdivision of real property, all or part of which is located in the unincorporated area of a county, and for which a plat is required to be prepared and filed under Chapter 232, Texas Local Government Code, as amended.

Section 2 – Prohibition

To promote the public safety, the discharge of firearms and air guns (as defined above) is hereby prohibited in Medina County on lots that are ten (10) acres or smaller and are located in a subdivision in the unincorporated area of Medina County. If a subdivision is partly located within a municipality, the prohibition provided herein shall apply only to that portion of the subdivision which is outside the incorporated limits of said municipality. See TEX. LOC. GOV'T CODE §235.022.

Section 3 – Criminal Penalty

Pursuant to Texas Local Government Code §235.025, a person commits an offense if the person intentionally or knowingly engages in conduct that is in violation of a regulation under this Order. An offense under this section is a Class C misdemeanor. If it is shown on the trial of an offense under this section that the person has previously been convicted of an offense under this section, the offense is a Class B misdemeanor.

Section 4 – Effect on State Law

These regulations do not legalize anything prohibited under the Penal Code or other state law. These regulations do not limit any defense found in the Penal Code or other state law.

Section 5 – Injunctive Relief

Any person is entitled to appropriate injunctive relief to prevent a violation or threatened violation of this ordinance from continuing from occurring. See TEX. LOC. GOV'T CODE §235.024.

Section 6 – Exceptions

It is a defense to prosecution under this Order if the person discharging the firearm or air gun is:

- a. A licensed peace officer, on duty, acting in his/her official capacity; or
- b. A person acting in self-defense, defense of a third party, or in defense of a person's property, as defined in Chapter 9, Texas Penal Code.

Section 7 – Repealer and Effective Date

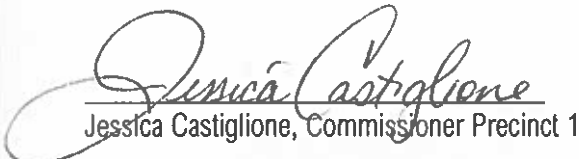
6.1 By the adoption of this Order, the Medina County Commissioners Court intends to and does hereby repeal the previous order prohibiting the discharge of firearms in subdivisions adopted November 9, 2015, and all prior versions, amendments, or additions thereto.

6.2 This Order becomes effective on the date of adoption of this Order.

ADOPTED this 16th day of September 2024.



Keith Lutz, County Judge



Jessica Castiglione, Commissioner Precinct 1



Larry Sittre, Commissioner Precinct 2



David Lynch, Commissioner Precinct 3



Danny Lawler, Commissioner Precinct 4

ATTEST:



Gina Champion, County Clerk