

## **Lincoln Municipal Code 9.36.100; Unlawful Possession of Firearms.**

### **Criminal Prohibitors**

It shall be unlawful for any person to possess any firearm within the corporate limits or on any property of the City of Lincoln outside the corporate limits when that person has been convicted of any one of the following offenses within the last ten years:

- Stalking in violation of *Neb. Rev. Stat.* § 28-311.03 or any other comparable or similar state statute from another state;
- Violation of a protection order as set forth in *Neb. Rev. Stat.* § 42-924 or Violation of a foreign protection order as set forth in *Neb. Rev. Stat.* § 42-931;
- False imprisonment in the second degree in violation of *Neb. Rev. Stat.* § 28-315;
- Sexual assault in the third degree in violation of *Neb. Rev. Stat.* § 28-320;
- Impersonating a peace officer in violation of *Neb. Rev. Stat.* § 28-610 or Impersonating police officer in violation of Lincoln Municipal Code § 9.08.060;
- Debauching a Minor in violation of *Neb. Rev. Stat.* § 28-805;
- Obstructing government operations in violation of *Neb. Rev. Stat.* § 28-901;
- Resisting arrest in violation of *Neb. Rev. Stat.* § 28-904;
- Resisting officer in violation of Lincoln Municipal Code § 9.08.030;
- Obstructing a peace officer in violation of *Neb. Rev. Stat.* § 28-906;
- Interfering with an officer making an arrest in violation of Lincoln Municipal Code § 9.08.020;
- Carrying concealed weapon in violation of *Neb. Rev. Stat.* § 28-1202;
- Criminal child enticement in violation of *Neb. Rev. Stat.* § 28-311;
- Implements for escape in violation of *Neb. Rev. Stat.* § 28-913;
- Unlawful possession of explosives, second degree in violation of *Neb. Rev. Stat.* § 28-1216;
- Use of explosives without a permit in violation of *Neb. Rev. Stat.* § 28-1218;
- Concealing the death of another person in violation of *Neb. Rev. Stat.* § 28-1302;
- Minors not to be furnished with firearms, ammunition, or weapons in violation of Lincoln Municipal Code § 9.36.020;
- Discharge of firearms unlawful in violation of Lincoln Municipal Code § 9.36.010;
- Assault in the third degree in violation of *Neb. Rev. Stat.* § 28-310;
- Assault and battery, menacing threats in violation of Lincoln Municipal Code § 9.12.010;
- Unlawful intrusion in violation of *Neb. Rev. Stat.* § 28-311.08;
- Violation of custody in violation of *Neb. Rev. Stat.* § 28-316;
- Domestic assault in violation of *Neb. Rev. Stat.* § 28-323;
- Criminal trespass in the first degree in violation of *Neb. Rev. Stat.* § 28-520;
- Contributing to the delinquency of a child in violation of *Neb. Rev. Stat.* § 28-709;
- Public indecency in violation of *Neb. Rev. Stat.* § 28-806;

- Public indecency or indecent exposure in violation of Lincoln Municipal Code § 9.16.180;
- Operating a motor vehicle or vessel to avoid arrest in violation of *Neb. Rev. Stat.* § 28-905;
- Fleeing in a vehicle to avoid arrest in violation of Lincoln Municipal Code § 10.14.280;
- Any violation of the Uniform Controlled Substances Act as set forth in *Neb. Rev. Stat.* §§ 28-401 to 28-456.01;
- Toxic compounds, unlawful use in violation of Lincoln Municipal Code §9.16.110; or
- Criminal attempt in violation of *Neb. Rev. Stat.* § 28-201 for any of the state crimes listed above.

### **DUI Prohibitors**

It shall be unlawful for any person to possess any firearm within the corporate limits or on any property of the City of Lincoln outside the corporate limits when that person has been convicted of two or more of the following offenses within the last ten years:

- Driving under the influence of alcoholic liquor or drugs in violation of *Neb. Rev. Stat.* § 60-6,196;
- Driving under the influence of alcoholic liquor or drugs in violation of Lincoln Municipal Code § 10.16.030;
- Implied consent to submit to chemical test, refusal in violation of *Neb. Rev. Stat.* § 60-6-197;
- Chemical test, refusal in violation of Lincoln Municipal Code §10.16.040; or
- Any conviction under a law of another state or municipality if at the time of the conviction under said law the offence for which the person was convicted would have been a violation of *Neb. Rev. Stat.* §§ 60-6,196 or 60-6,197.

### **Exemptions**

The provisions of this section shall not apply to (1) the issuance of firearms or the possession by members of the Armed Forces of the United States, active or reserve, the National Guard of this state, or Reserve Officers Training Corps, when on duty or training; or (2) a peace officer as defined by *Neb. Rev. Stat.* § 28-109(14). (Ord. 19060 §1; March 24, 2008; prior Ord. 18793 §1; August 21, 2006: Ord. 18158 §1; April 7, 2003).