

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 20, 2020
Action Required:	Ordinance Amendment
Staff Contacts:	John Blair, City Attorney
Presenters:	John Blair, City Attorney
Title:	Ordinance Prohibiting Firearms and Ammunition in Public Spaces (1st of 2 readings)

Background:

In 2020, the Virginia General Assembly amended Virginia Code Section 15.2-915. This amendment provides localities with the authority to enact prohibition on the possession, carrying, or transportation of firearms, ammunition, or components or combinations in certain public spaces.

Discussion:

The proposed ordinance prohibits the possession, carrying or transportation of firearms, ammunition, or components or combinations thereof in City buildings, City parks, in City recreational or community centers, and in any public street, road, alley, or sidewalk or public right-of-way or space open to the public that is being used by or is adjacent to a permitted event by the City or an event that would otherwise require a City permit.

The proposed ordinance permits the City to implement security measures designed to prevent the unauthorized access of the aforementioned public places such as metal detectors.

The proposed ordinance includes several exemptions from its provisions including exceptions for sworn law enforcement officers as well as the activities of Senior Reserve Officers' Training Corps program.

A violation of the ordinance is a Class 1 misdemeanor.

Attachments:

Proposed Ordinance

**AN ORDINANCE
ADDING SECTION 33-10
TO CHAPTER 33 (WEAPONS)**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that:

Chapter 33 of the Code of the City of Charlottesville (1990) is amended as follows:

Sec. 33-10. – Prohibition of firearms on city property.

- (a.) The possession, carrying or transportation of firearms, ammunition, or components or combination thereof (1) in any buildings, or parts thereof, owned or used, by the city, or by any authority or local governmental entity created or controlled by the city, for governmental purposes; or (2) in parks owned or operated by the city, or by any authority or local governmental entity created or controlled by the city; or (c) in any recreational or community center facility operated by the city, or by any authority or local governmental entity created or controlled by the city; or (d) in any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or event that would otherwise require a permit, is prohibited.
- (b.) The possession, carrying, storage or transportation of firearms by city employees, agents or volunteers in workplaces owned, operated or managed by the city is prohibited.
- (c.) Pursuant to this section, the city may implement security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.
- (d.) This section shall not apply to (1) military personnel when acting within the scope of their official duties; or (2.) sworn law enforcement offices; or (3.) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of 10 U.S.C. § 2101 et seq.; or (4.) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities shall follow strict guidelines developed by such institutions for these activities and shall be conducted under the supervision of staff officials of such institutions.

- (e.) Notice of the restrictions imposed by this ordinance shall be posted (1) at all entrances of any building, or part thereof, owned or used by the city, or by any authority or local governmental entity created or controlled by the city, for governmental purposes; (2) at all entrances of any public park owned or operated by the city, or by any authority or local governmental entity created or controlled by the city; (3) at all entrances of any recreation or community center facilities operated by the city, or by any authority or local governmental entity created or controlled by the city; and (4) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.
- (f.) Any violation of section 33-10 is unlawful and shall be punished as a Class 1 misdemeanor.