



# THE COMMON COUNCIL

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*I, Kerri A. Mellott, Deputy Clerk of the Common Council, hereby certify on this 10th day of February 2021 that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 9th day of February 2021.*

## **AN ORDINANCE TO AMEND CHAPTER 16 OF THE WINCHESTER CITY CODE ADDING SECTION 16-34 PERTAINING TO POSSESSING, CARRYING, OR TRANSPORTING FIREARMS IN CERTAIN PUBLIC PLACES**

**WHEREAS**, Virginia Code § 15.2-915(E) authorizes the City to prohibit the possession, carrying, or transportation of firearms or ammunition in certain public places, and enact reasonable measures to prevent unauthorized access to such places by persons in possession of firearms; and,

**WHEREAS**, the Common Council believes such regulations are necessary to provide safe local government facilities for the public's use, as well as a safe workplace environment for City of Winchester employees.

**NOW THEREFORE BE IT ORDAINED**, that the Common Council of the City of Winchester, Virginia does hereby amend Chapter 16 of the Winchester City Code to adopt and enact Section 16-34 to state as follows:

### **CHAPTER 16 - OFFENSES - MISCELLANEOUS**

**Sec. 16-34. - Possession of firearms in certain public places prohibited.**

(a) It shall be unlawful for any person to possess, carry, or transport a firearm, ammunition, components or combination thereof in any of the following locations:

1. 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. Any public park owned or operated by the City, or by any authority or local governmental entity created or controlled by the City;
3. Any recreation or community center facility operated by the City, or by any authority or local governmental entity created or controlled by the City;
4. 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 an event that would otherwise require a permit.

(b) In any buildings that are not owned by the City or by any authority or local governmental entity created or controlled by the City, this Ordinance shall apply only to the part of the building that is being used for a governmental purpose and when such building, or part thereof, is being used for a governmental purpose.

(c) The provisions of this Ordinance shall not apply to the following:

1. Military personnel acting within the scope of their official duties;
2. Sworn law-enforcement personnel;
3. Private security personnel contracted or employed by the City or by any authority or local governmental entity created or controlled by the City when any of them are present in buildings owned or used by the City;
4. Museums displaying firearms and the personnel and volunteers of museums or living history re-enactors and interpreters, who possess firearms that are not loaded with projectiles, when such persons are participating in, or traveling to-and-from, historical perspective events that involve the display or demonstrations of such firearms;
5. A Senior Reserve Officers' Training Corps (SROTC) 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 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.

(d) The City may implement security measures that are designed to reasonably prevent the unauthorized access of such locations outlined within this section by a person with any firearms, ammunition, or components or combination thereof, including, without limitation, the use of metal detectors and increased use of security personnel.

(e) Notice of the restrictions provided within this Ordinance shall be posted at all applicable locations in accordance with §15.2-915(F) of the Virginia Code.

(f) A person found to violate any subsection of Sec. 16-34(a) or (b) shall be guilty of a Class 1 misdemeanor.

#### **Ordinance No. O-2021-1**

ADOPTED by the Common Council of the City of Winchester on this 9th day of February 2021.

***Witness my hand and the seal of the City of Winchester, Virginia.***



A handwritten signature in black ink, reading "Kerri A. Mellott".

**Kerri A. Mellott**  
**Deputy Clerk of the Common Council**