

JEFFERSON COUNTY WEAPON POLICY

I. Preamble

This policy was prompted, in significant part, by 2011 Wisconsin Act 35. It is intended to preserve and promote public protection and safety, public peace and good, and workplace safety and health.

II. Definitions

- A. “Law Enforcement Officer” means a Wisconsin law enforcement officer, as defined in Section 175.46(1)(g) Wisconsin Statutes or a federal law enforcement officer, as defined in Section 175.40(7)(a)1. Wisconsin Statutes.
- B. “Licensee” means an individual holding a valid license to carry a concealed weapon under Section 175.60 Wisconsin Statutes or an out-of-state licensee per Section 175.60(1)(f) 1.-2. Wisconsin Statutes.
- C. “Motor Vehicle” means a vehicle which is self-propelled, including but not limited to a passenger car, truck, and van, bus, taxi, commercial motor vehicle, motorcycle, moped, motor bicycle, snowmobile, and all-terrain vehicle.
- D. “Placard” means a small card or plaque.
- E. “Sign” means a sign that states a restriction imposed hereunder and that is at least 5 inches by 7 inches.
- F. “Special Event” means an event that is open to the public, is for a duration of not more than three (3) weeks, and either has designated entrances to and from the event that is locked when the event is closed or requires an admission.
- G. “Weapon” includes, without limitation, any firearm (including a handgun), air guns, an electric weapon (as defined in Section 941.295(1c)(a) Wisconsin Statutes), a knife, including a box cutter or other sharp object, a switchblade (as defined in Section 941.24(1) Wisconsin Statutes), a billy club, oleoresin capsicum (OC) spray devices (also known as pepper spray or pepper mace), metallic knuckles, nunchaku, shuriken, cestus, manrikigusari, ammunition, explosives, batons or similar wood, metal or rigid objects like sign standards, or any device designed or used as a weapon and capable of producing great bodily harm or death. (Res. No. 2012-39, 08-13-2012)

III. Prohibitions

- A. County employees are prohibited from carrying or possessing a concealed weapon (or a weapon that is not concealed) in the course (or during any part) of their employment.

This prohibition does not apply to:

- 1. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.

2. An employee, who is a Licensee, properly storing a weapon or ammunition in the employee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the County.

- B. Persons are prohibited from carrying or possession of a concealed weapon (or a weapon that is not concealed) while operating or being a passenger in any County owned or leased motor vehicle.

This prohibition does not apply to certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.

- C. No person may, while carrying or possessing a weapon, enter or remain in any part of a building that is owned, occupied, or controlled by the County

This prohibition does not apply to:

1. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
2. A person who leases residential or business premises in the building.
3. A person *if* a firearm is in a vehicle driven or parked in the parking facility, or to any part of the building used as a parking facility.

- D. Organizers of any "special event" may prohibit any persons carrying or possessing a weapon from entering or remaining at the "special event".

This prohibition does not apply to:

1. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
2. If the firearm is in a vehicle driven or parked in the parking facility, or to any part of the special event grounds or building used as a parking facility.

IV. Notice

- A. For purposes of *III. Prohibitions A.* above:

County employees will be notified, either orally or in writing, of the restriction.

- B. For purposes of *III. Prohibitions B.* above:

1. A placard may be posted, that is located in a prominent place within or on the motor vehicle, such that any person who is an operator or occupant of the vehicle can be reasonably expected to see the placard.

Suggested language for the placard:

ENTRY TO THIS VEHICLE WHILE CARRYING OR POSSESSING A CONCEALED FIREARM OR OTHER WEAPON (OR A FIREARM OR OTHER WEAPON THAT IS NOT CONCEALED) IS FORBIDDEN.

or

2. Any motor vehicle operator or occupant will be notified, either orally or in

writing, of the restriction.

C. For purposes of *III. Prohibitions C.* above:

1. A sign will be posted that is located in a prominent place near all of the entrances to any building to which the restrictions apply, where any individual entering the building can be reasonably expected to see the sign.
2. Suggested language for a sign:

“NO PERSON MAY ENTER OR REMAIN IN THIS BUILDING WHILE CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON“

D. For purposes of *III. Prohibitions D.* above:

1. A sign will be posted that is located in a prominent place near all of the entrances to the special event, such that any individual attending the special event can be reasonably expected to see the sign.
2. Suggested language for a sign:

*“NO PERSON MAY ATTEND THIS **INSERT NAME OF SPECIAL EVENT** WHILE CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON“*

V. Miscellaneous Provisions

- A. This policy is intended to be consistent with, and cannot supersede, state law/ or federal law.
- B. If any provision or clause of this policy or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this policy that can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.
- C. Reference to the Wisconsin Statutes herein include as such statutes now exist or are hereafter amended.

VI. Penalties for Violation

- A. If applicable, referral to law enforcement or the district attorney for prosecution as applicable under Wisconsin Statutes, including Section 943.13 Wisconsin Statutes; *and/or*
- B. For County employees, discipline up to and including discharge from employment.

VII. Effective Date

This Weapon Policy becomes effective November 1, 2011.

Adopted 10/11/2011, Res. 2011-58
Amended 08-13-2012, Res. 2012-39