

ORDINANCE NUMBER 751

AN ORDINANCE TO AMEND SECTION 130.015 ENTITLED "USE OF FIREARMS" AND TO CREATE SECTION 130.014 ENTITLED "POSSESSION OF FIREARMS" OF THE CODE OF ORDINANCES OF THE CITY OF MINERAL POINT.

WHEREAS the Common Council wishes to lawfully regulate the acknowledged right of its citizens to keep and bear arms; and

WHEREAS the Common Council asserts its responsibility to act on matters of local concern, specifically to exercise management and control over city-owned public property; and

WHEREAS the Ordinance Committee of the Common Council, at a public meeting on October 19, 2011, considered regulating the use and possession of weapons within the City; and

WHEREAS the Ordinance Committee recommends that the use and possession of weapons be regulated according to the State statutes; and

WHEREAS the Common Council of the City of Mineral Point, at its regularly scheduled meeting on November 1, 2011, accepted the recommendation of the Ordinance Committee that adopting the following ordinance is in the best interests of the citizens of Mineral Point;

NOW, THEREFORE, it is hereby ordained as follows:

Section 1. That section 130.015, entitled "Use of Firearms", is hereby amended to read as follows:

130.015 USE OF FIREARMS.

No person, except an authorized police officer, shall discharge any firearm with the city, unless the actor's conduct is justified or, if subject to a criminal penalty, the actor would be subject to a defense described in Wis. Stat. sec. 939.45; provided, the Council may issue permits to an organized gun club to engage in target practice within the city at times and places designated by the Chief of Police.

Section 2. That section 130.014, entitled "Possession of Firearms", is hereby created to read as follows:

130.014 POSSESSION OF FIREARMS.

(1) Firearms in Public Buildings.

(a) Pursuant to Wis. Stat. sec. 943.13(1m)(c)4., no person shall enter or remain in any part of a building owned, occupied or controlled by the City of Mineral Point if the City has notified the person not to enter or remain in the building while possessing, carrying, or concealing a firearm or weapon.

(b) The City Administrator shall cause signs to be erected at all entrances to all buildings, or parts of buildings, owned, occupied or under the control of the City of Mineral Point, providing notice that no person is to enter or remain in any such

building, or part of a building, while carrying a firearm or weapon. Such signs shall be five inches by seven inches or larger.

(c) Nothing in this subsection shall be construed to apply to prohibit a peace officer or armed forces or military personnel armed while in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building. Notwithstanding Wis. Stat. sec. 939.22, for purposes of this paragraph, peace officer does not include a commission warden who is not a state-certified commission warden.

(d) Nothing in this section shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stat. secs. 941.23 or 941.235.

(2) City Employees

(a) Pursuant to Wis. Stat. sec. 175.60(15m)(a), no employee of the City of Mineral Point may carry a concealed weapon or firearm while on duty, except law enforcement officers and those authorized by the Chief of Police, regardless of whether the employee holds a valid license from the State to carry a concealed weapon.

(b) Nothing in this subsection shall be construed to prohibit an employee of the City of Mineral Point from carrying a concealed weapon, or ammunition, in the employee's motor vehicle, as provided under Wis. Stat. sec. 175.60(15m)(b), regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on city property.

Adopted at the regular meeting of the Common Council of the City of Mineral Point, held on November 1, 2011, at the Fire Station, in the City of Mineral Point, Iowa County, Wisconsin.

This ordinance shall be in full force and effect upon passage and publication, as provided by law.

Date this 1st day of November, 2011.

APPROVED:



Greggory Bennett, Mayor

ATTEST:



Debi Heisner, Administrator/Clerk/Treasurer