

ORDINANCE NO. 21-10(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 10, Offenses - Miscellaneous, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Adding:

Sec. 10-118 Firearms prohibited on County property.

Chapter 10. Offenses - Miscellaneous

Sec. 10-118 Firearms prohibited on County property.

- A. *Firearm Definition.* For the purposes of this section, a firearm is any instrument designed, made, and intended to expel a projectile by means of explosion of a combustible material. The firearm need not be operable or capable of firing to sustain a conviction under this Section.
- B. *Acts prohibited.* It shall be unlawful to possess, carry, or transport any firearm or a component thereof, ammunition, or a combination thereof in or on:
 - 1. Any building or part of a building owned or used for governmental purposes by the County, any authority or local government entity created or controlled by the County;
 - 2. Any public park owned or operated by the County or any authority or local government entity created or controlled by the County; and
 - 3. Any recreation or community center operated by the County or any authority or local government entity created or controlled by the County.
- C. *Exceptions.* The prohibition made unlawful in subsection (B) shall not apply to:
 - 1. Federal, state, and local law enforcement officers; unsworn animal protection officers; and the Fire Marshal, deputies, and assistants;
 - 2. The Commonwealth's Attorney, deputy, and assistants;
 - 3. Authorized employees of the Albemarle-Charlottesville Regional Jail and officers or guards of state correctional facilities, acting within the scope of their duties;
 - 4. Civilian employees of the Albemarle County Police Department who are assigned to the Forensics Unit, acting within the scope of their duties;
 - 5. Individuals who surrender or submit for safekeeping firearms to the Albemarle County Police Department. Possession and transport for this purpose is permissible only at the County Office Building at 1600 5th Street, Charlottesville, Virginia;
 - 6. Active members of the United States Armed Forces and Virginia National Guard, acting within the scope of their duties;

7. Retired law enforcement officers, if authorized by Virginia Code § 18.2-308.016 or other applicable law;
 8. Security officers licensed and certified by the Department of Criminal Justice Services and authorized to carry a firearm, acting within the scope of their duties;
 9. Individuals authorized by Virginia Code § 18.2-283.1 while in a courthouse that is subject to this section;
 10. Judges or justices of the Commonwealth;
 11. Mail carriers of the United States Postal Service, acting within the scope of their duties;
 12. Conservators of the peace, except as limited by Virginia Code § 18.2-308(D)(3), acting within the scope of their duties; and
 13. Individuals participating in ceremonial events allowed pursuant to the County's Rules for the Public's Use of the County Office Buildings and Their Grounds and other County rules and policies, provided that prior notice of the planned use of firearms in the ceremony is provided either on any required application or to the County Executive.
 14. Any person who may lawfully possess a firearm and is carrying a firearm while in a personal, private motor vehicle on properties described in subsection (B) above, and the firearm is secured in a container or compartment in the vehicle is not in violation of this section.
- D. *Security measures.* The County Executive may approve and order implemented lawful security measures reasonably designed to prevent unauthorized access of the buildings and areas in subsection (B) above.
- E. *Notice.* The acts prohibited by subsection (B) above apply only to those buildings or parts thereof, parks, and recreation or community centers at which notice of this section is posted as required by Virginia Code § 15.2-915(F).
- F. *Penalty.* A violation of any provision of this section shall be punished as a class 1 misdemeanor.

State law reference -- Va. Code § 15.2-915.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of six to zero, as recorded below, at a regular meeting held on August 18, 2021.