



# Albemarle County

## Legislation Text

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**File #:** 21-356, **Version:** 1

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**AGENDA DATE:** 7/21/2021

**TITLE:**

Proposed Firearms Ordinance

**SUBJECT/PROPOSAL/REQUEST:** Public hearing to consider the adoption of a proposed Firearms Ordinance

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Farley, Lantz

**PRESENTER (S):** Amanda Farley

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** In the 2020 Session, the General Assembly approved an amendment to Virginia Code § 15.2-915 permitting localities to pass an ordinance prohibiting possession, carrying, or transport of firearms, ammunition, or component parts in buildings, public parks, recreation centers, and permitted events areas that are owned or used by the locality or authority or entity controlled by the locality for governmental purposes.

**STRATEGIC PLAN:** Mission - To enhance the well-being and quality of life for all community members through the provision of the of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** The proposed ordinance would prohibit firearms, ammunition, and component parts from being possessed, carried, or transported into any buildings, parks, and recreation centers owned or used by Albemarle County or authorities or other entities controlled by Albemarle County for governmental purposes. Albemarle County does not currently have a permitting process for events outside of its public parks. Certain persons - most significantly, law enforcement officers and other public safety personnel -are exempted from these prohibitions because of the nature and scope of their employment and other provisions of law. The County Executive may also grant individuals an exemption. Notice of the prohibitions in the ordinance must be posted at all entrances of buildings, parks, and recreation centers subject to this ordinance. The ordinance also authorizes the County Executive to implement reasonable security measures to prevent unauthorized access to the buildings, public parks, and recreation centers subject to this ordinance.

Polling places are not covered by the proposed ordinance. Effective July 1, 2021, Virginia Code § 24.2-604 was amended to make it unlawful "to knowingly possess any firearm as defined by § 18-308.2:2 within 40 feet of any building, or part thereof, used as a polling place." This restriction applies during "the times the polls are open and ballots are being counted, or within one hour of opening or after closing."

**BUDGET IMPACT:** The cost of the signs to provide the required notice could be covered with currently appropriated funds. There is no anticipated additional budget impact.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

**ATTACHMENTS:**

A - Proposed Ordinance