

AN ORDINANCE TO AMEND CHAPTER 20, ARTICLE III, DIVISION 2 OF THE SURRY COUNTY CODE BY ADDING SECTION 20-67 TO CHAPTER 20, PROHIBITING THE POSSESSION, CARRYING OR TRANSPORTATION OF FIREARMS, AMMUNITION, OR COMPONENTS OR COMBINATION THEREOF IN COUNTY GOVERNMENT BUILDINGS OR FACILITIES, ON PUBLIC PROPERTY, OR AT CERTAIN PUBLIC EVENTS.

WHEREAS, the 2020 General Assembly adopted legislation which amends Section 15.2-915 of the Virginia Code and authorizes any locality to adopt an ordinance to prohibit the possession, carrying or transportation of firearms in buildings owned, leased or used by the County as well as in parks, recreational or community facilities owned or used by the County. The legislation also authorizes these prohibitions in public streets where there is a permitted event, whether or not the event actually received its permit; and

WHEREAS, the Board of Supervisors desires to adopt an ordinance prohibiting firearms, ammunition, or components in County government facilities and other public areas to ensure the general health, safety, and welfare of the citizens of Surry County and to protect them from the use of firearms in County buildings and property, as well as, in places of permitted public events or adjacent to such events.

NOW, THEREFORE, BE IT ORDAINED, by the Surry County Board of Supervisors, that Chapter 20 the Surry County Code is hereby amended and enacted as follows:

ARTICLE III. - OFFENSES INVOLVING PUBLIC SAFETY

DIVISION 2. - WEAPONS[2]

Section 20-67. Possession of firearms, ammunition, or components or combination thereof prohibited in County building or facilities, on public property, or at certain public events; penalty.

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, ammunition, components, or 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

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3. Any recreation or community center operated by the County, or any authority or local government entity created or controlled by the County.
 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 County-permitted event or an event that would otherwise require a County permit.

C. Exceptions. The prohibition made unlawful in subsection B shall not apply to:

1. The activities of (i) a Senior Reserve Officers' Training Corps 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 (ii) 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.
2. Federal, state, and local law enforcement officers; unsworn animal protection officers; and the Fire Marshal, deputies, and assistants, acting within the scope of their duties;
3. The Commonwealth's Attorney, deputy, and assistants, acting within the scope of their duties;
4. Individuals granted an exception by the County Administrator or their designee;
5. Active members of the United States Armed Forces and Virginia National Guard, acting within the scope of their duties;
6. 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;
7. Individuals authorized by Virginia Code § 18.2-283.1 while in a courthouse that is subject to this section.

D. Security measures. The County Administrator may approve, and order, implemented lawful security measures reasonably designed to prevent unauthorized access of the buildings and areas in subsection B above.

E. Penalty. A violation of any provision of this section shall be punished as a class 1 misdemeanor.

State Law Reference 15.2-915(E)—Control of firearms; applicability to authorities and local government agencies, 15.2-1429, penalties for violation of ordinances.

This ordinance shall take effect upon adoption.