

RESOLUTION REGARDING CONCEALED HANDGUNS IN TOWN PARKS

Resolution No. 37/2011-12

WHEREAS, in 2011 the North Carolina General Assembly enacted legislation that limits municipalities' authority to regulate concealed handguns; and

WHEREAS, the new law provides limited exceptions in which towns may regulate concealed handguns in the areas of "municipal buildings and their appurtenant premises" and "recreational facilities"; and

WHEREAS, the new law defines recreational facilities to include only the following: a playground, an athletic field, a swimming pool, and an athletic facility; and

WHEREAS, the existing Carrboro town ordinance regulating "Weapons on Town Property" may be too broad and no longer legally enforceable; and

WHEREAS, the safety and well-being of residents and children who use the town parks is a priority for the Carrboro Recreation and Parks Commission;

THEREFORE BE IT RESOLVED, that the Carrboro Recreation and Parks Commission recommends to the Carrboro Board of Aldermen that this issue and need for a revised ordinance be evaluated by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Carrboro Recreation and Parks Commission recommends that an ordinance be developed that is as restrictive as possible in keeping handguns, whether open or concealed, out of town parks.

BE IT FINALLY RESOLVED, that the law's exception for "recreational facilities" be applied as broadly as legally enforceable in order to cover as much of the park areas as possible, including greenways, picnic shelters, restrooms and other such areas associated with "recreational facilities."

Submitted by: Carrboro Recreation and Parks Commission with unanimous approval
on October 3, 2011.

AN ORDINANCE AMENDING CHAPTER 14 OF THE TOWN CODE TO CONFORM
SECTION 14-18 (WEAPONS ON TOWN PROPERTY) TO S.L. 2011 – 268.

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 14-19 of the Carrboro Town Code is amended to read as follows:

Section 14-18 Weapons on Town Property

(a) Subject to subsection (b), no person on town property may possess or carry whether openly or concealed, any deadly weapon not used solely for instructional or officially sanctioned ceremonial purposes.

(b) Subsection (a) shall not apply to:

- (1) Federal, state or local law enforcement officers acting in the discharge of their official duties, if such officers are authorized by law to carry weapons;
- (2) Persons authorized to carry concealed handguns pursuant to N.C.G.S. Chapter 14, Article 54B, unless possession of a concealed handgun on certain town property is prohibited pursuant to subsections (c) or (d) of this section.

(c) The town manager, or his designee, is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each building or portion of a building owned, leased as lessee, operated, occupied, managed, or controlled by the town, the appurtenant premises to such buildings, and the recreational facilities identified in subsection (d), indicating that carrying a concealed handgun is prohibited therein.

- (1) Signs on buildings shall be visibly posted on the exterior or each entrance by which the general public can access the building. The manager or his designee shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and the recreational facilities identified in subsection (d).
- (2) The intent of this subsection is to direct the posting of town property such that, pursuant to N.C.G.S. 14-415.11(c), the carrying of concealed handguns on the posted premises will constitute a violation of N.C.G.S. 14-269.

(d) The provisions of subsection (c) shall apply to the following town recreational facilities. Consistent with N.C.G.S. 14-415.23, a concealed handgun permittee may secure the handgun in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle.

(1) Athletic fields

- i. Baseball/softball fields at Anderson Park
- ii. Baseball field at Wilson Park
- iii. Multipurpose field at Anderson Park

(2) Athletic facilities

- i. Disc Golf Course at Anderson Park
- ii. Basketball Courts at Anderson, Baldwin and Brewers Park
- iii. Tennis Courts at Anderson and Wilson Parks
- iv. Volleyball court at Anderson

(3) Playgrounds

- i. Playgrounds at Anderson, Baldwin, Simpson Street, Town Commons and Wilson Parks

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective December 1, 2011.