



CITY OF SALUDA NORTH CAROLINA

MAYOR Fred Baisden CITY MANAGER Jonathan Cannon COMMISSIONERS Mark Oxtoby Paul C. Marion Stan Walker Bob Ross
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AN ORDINANCE REGULATING THE DISPLAY OF FIREARMS, THE DISCHARGE OF FIREARMS AND FIREWORKS, AND THE PROHIBITION OF WEAPONS ON CITY PROPERTY IN THE CITY OF SALUDA

(THE CITY OF SALUDA FIREARM, FIREWORK, AND WEAPONS ORDINANCE)

WHEREAS, the City of Saluda City Commissioners has, Pursuant to statute, determined who shall be permitted to carry certain weapons on City-owned and City-managed and/or City-maintained property, and

WHEREAS, the City Commissioners deem it desirable to add the City Commissioners and City Staff to the list of those excepted from the restrictions contained in the City Ordinance #34, Article 1,

NOW, THEREFORE, be it ordained by the City Commissioners of the City of Saluda;

ORDINANCE #34, Article 1, Offenses of the City of Saluda Ordinances, Sec.1-1 Display of firearms prohibited, Sec.1-8 Discharge of firearms and fireworks prohibited; exception, and Sec.1-16 Weapons prohibited on city property are hereby amended to read as follows:

ARTICLE I. SHORT TITLE

This ordinance shall be known and may be cited as The City of Saluda Golf Cart Ordinance.

ARTICLE II. WEAPONS PROHIBITED ON CITY PROPERTY

SECTION 2.01 PROHIBITED ACTS

Carry of certain weapons Prohibited.

Except as provided in section 2.02, all persons are prohibited from possessing firearms as defined in G.S.14-415.10 in City of Saluda government buildings, appurtenant premises or on City-managed and /or City Maintained property.

Except as provided in section 2.02, where posted, the carrying of a concealed handgun in or on City of Saluda government buildings, appurtenant premises or on City-managed and City maintained property is hereby prohibited.

SECTION 2.02 EXCEPTIONS

Exceptions. This prohibition of section 2.01 of this section shall not apply to the following persons;

1. Officers and enlisted personnel of the armed forces of the United States when discharging their official duties as such and acting under orders requiring them to carry arms and weapons;
2. Civil officers of the United States while in the discharge of their official duties;

3. Officers and enlisted personnel of the National Guard when called into actual service;
4. Sworn law enforcement officers;
5. County animal control officers while in the discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;
6. Employees of the City, a utility company, or a contractor, may possess tools approved by their employer so long as such tools are not used as a weapon; and
7. Persons possessing a written permit from the chief of police to possess weapons for ceremonial purposes and funerals.
8. City of Saluda employees, the Mayor, and City Commissioners with a valid North Carolina Concealed Carry Permit, and six (6) months service, with prior approval granted by the City Manager with consultation with the Chief of Police the carrying of concealed weapons in such places and under such circumstances as the City Manager may from time to time designate. The City Manager is hereby authorized and directed to keep current a written list of approvals for the carrying of concealed weapons in and on City owned, managed, and maintained property.

ARTICLE III.DISPLAY OF FIREARMS

SECTION 3.01 PROHIBITED ACTS

It shall be unlawful to display on the person any firearm on the streets, sidewalks, alleys or other public property within the city except as follows:

1. When a firearm is being transported for repair or sale or;
2. When a firearm is carried by an on duty member of the national guard.

No firearm carried or transported pursuant to the exceptions of this section shall be loaded under any circumstances.

SECTION 3.02 EXCEPTIONS

This section is not intended to apply to law enforcement personnel who are authorized to carry a weapon in the performance of their official duties or to persons licensed by the state to carry a concealed weapon.

ARTICLE IV.DISCHARGE OF FIREARMS AND FIREWORKS

SECTION 4.01 PROHIBITED ACTS

1. No person shall fire any pistol, gun or other firearm, fireworks or other pyrotechnics for sport or amusement, except in shooting galleries duly licensed by the city.

ARTICLE V. ENFORCEMENT

Any person in violation of this section shall be charged with a misdemeanor and upon conviction shall be fined five hundred dollars (\$500.00) or imprisoned for six (6) months or both.

Weapons possessed in violation of this section are hereby declared to be contraband. The chief of police or his designee shall hold such weapon for disposal pursuant to court order. In the absence of any court order, the weapon shall be destroyed.

State Statutes References; G.S. 14-409.40; G.S. 160A-189;

ARTICLE VI.SEVERABILITY

If any provision of this ordinance is for any reason held by a court of competent jurisdiction

to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

ARTICLE VII. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after the date of its adoption.

(Ord. O-20-03, passed 06-08-2020)

Adopted this the 08th day of June, 2020

ATTEST

Tola Mueller, City Clerk



Fred Baisden, Mayor

APPROVED AS TO FORM

Jana Berg, City Attorney