

**CHAPTER 96:
CARRYING OF CONCEALED WEAPONS AND DISPLAYING OF FIREARMS**

Section

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96.01 AUTHORITY.

This chapter is adopted pursuant to G.S. Chapter 153A-129, G.S.14-409.40, G.S. Chapter 14-415.23, G.S. 14-269.4 and G.S.14-415.11.

96.02 PURPOSE.

The primary purpose of this revised ordinance is so that permitted concealed carry holders may carry their concealed weapons on County grounds. The North Carolina General Assembly has enacted laws that preempt the regulation of firearms except as specifically provided in G.S. 14-415.23 and G.S. 14-409.40 including the various statutes referenced in that section. Persons have the right to obtain permits to carry concealed handguns as provided in G.S. 14-415.11. The intent of this chapter to permit the posting of certain County buildings such that the carrying of concealed handguns will only be prohibited in the posted buildings. The open display of all firearms in County owned and controlled buildings, grounds or parking areas of those buildings, or in public parks or recreation areas is prohibited as provided in G.S. 14-409.40(f), except for exceptions noted herein.

This ordinance revises the original ordinance enacted on November 20, 1995 and subsequently amended on March 3, 2008 to reflect recent statutory changes, and to provide greater freedom than the minimum required by General Statute.

96.03 DISPLAYING OF FIREARMS ON COUNTY PROPERTY.

It shall be unlawful and a violation of G.S. 153A-129 for any person to openly possess or display a firearm in or on County owned and controlled buildings, grounds, parking areas, sidewalks or alleys appurtenant to those buildings or in public parks or recreation areas except where such firearm is locked in a vehicle as provided in G.S. 14-409.40(f), or as listed in the Exceptions below.

96.04 CARRYING OF CONCEALED HANDGUNS IN COUNTY BUILDINGS.

It shall be unlawful and a violation of G.S. 14-415.23(a) and G.S.14-415.11(c) for any person to carry a concealed handgun in County owned and controlled buildings as set forth in G.S. 14-269.4 and G.S. 14-415.23(a). This prohibition is consistent with statutory restrictions and administrative regulations prohibiting the carrying of firearms in Federal and State buildings. N.C.G.S. 14-269.4 prohibits weapons in certain state buildings and in courthouses.

96.05 EXCEPTIONS

1. Lawful concealed carry permit holders may carry in a lawful manner at the Haywood County Fairgrounds and buildings, and
2. The provisions of this ordinance prohibiting open carry shall not apply at the Haywood County Fairgrounds during the days and times that any gun show, trade show or flea market, at which guns are sold, occurs.
3. Due to the unique nature of activities of the Haywood County Fairgrounds, the Haywood County Fairgrounds Advisory Board may adopt a policy for additional exceptions for the Fairgrounds not inconsistent with State law and such shall be approved by the County Manager.
4. Section 96.04 shall not apply to buildings located at the Haywood County convenience centers and Materials Recovery Facility, provided persons without a concealed handgun permit must keep all firearms stored within their motor vehicle.
5. Nothing in this ordinance shall prohibit lawfully sworn law enforcement officers from any jurisdiction or Haywood County Animal Services employees, from possessing a firearm to perform their lawful duties.
6. The County Manager may permit the open possession display of firearms not loaded with bullets for purposes of historical reenactment, military parade, and cultural or educational ceremonies.
7. Lessees of County properties shall have the authority to determine whether or not to allow lawful concealed carry permit holders to carry firearms in their buildings.

96.06 POSTING OF SIGNS REQUIRED.

The County Manager is hereby ordered to post appropriate signage in such places and in a manner as to inform the public of the content of this chapter.

96.07 EFFECTIVE DATE AND REVISION OF ORIGINAL ORDINANCE

This revised ordinance revises and supplants the ordinance in Chapter 96 which was originally enacted on November 20, 1995 and subsequently amended on March 3, 2008, and shall be effective on and after April 4, 2016.

Approved and adopted the _____ day of _____, 2016.

Mark S. Swanger, Chairman
Haywood County Board of Commissioners