

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5365 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: TANNER/BRISTER PROVIDED BY: LEGAL

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 2 DAY OF APRIL , 2015

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 2, ARTICLE VIII, PARISH BUILDINGS, TO PROHIBIT THE POSSESSION, USE AND/OR DISCHARGE OF WEAPONS AND/OR FIREARMS ON PARISH-OWNED PROPERTY.

WHEREAS, pursuant to Louisiana Revised Statute 40:1796(A), St. Tammany Parish Government has the authority to prohibit the possession and/or use of firearms and weapons in public buildings; and,

WHEREAS, although St. Tammany Parish Government has ordinances prohibiting the possession and use of weapons and firearms in certain buildings, it is necessary to adopt and implement a comprehensive ordinance to protect the safety of its employees and citizens; and,

WHEREAS, St. Tammany Parish Government seeks to promote the health, safety and welfare of the citizens of the Parish with the adoption of this ordinance.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it amends Chapter 2, Article VIII of the St. Tammany Parish Code of Ordinances to add new sections as is described in Exhibit "A."

BE IT FURTHER ORDAINED that notice of this ordinance shall be posted generally and conspicuously at the entrance of all public buildings.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF MAY , 2015 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: _____, 2015

Published Adoption: _____, 2015

Delivered to Parish President: _____, 2015 at _____

Returned to Council Clerk: _____, 2015 at _____

EXHIBIT "A"

CHAPTER 2- ADMINISTRATION

ARTICLE VIII PARISH BUILDINGS

Sec. 2-103.00 Weapons prohibited in public buildings.

(1) The carrying, possession or use of any weapon or firearm as defined in this section in a public building or on property owned or leased by St. Tammany Parish Government is hereby prohibited.

(2) For the purposes of this section, the following definitions are used:

Firearm means any instrument from which a shot is discharged by the use of gunpowder.

Weapon means any instrument, item or substance that may be used or is intended to be used in a manner that may cause bodily harm or death to one's self or another including substances or objects whose original purpose is non-lethal but may be used in a lethal manner.

Public building or public property means any building, structure, land, or area that is owned by St. Tammany Parish Government according to records filed with the St. Tammany Parish Clerk of Court or with St. Tammany Parish Government.

(3) The prohibitions of this section shall not apply to the following persons:

- a. "Peace Officers" as defined by LA RS 40:2402, which includes any full-time employee of the state, a municipality, a sheriff or other public agency whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants and is responsible for the prevention and detection of crime or for the enforcement of the penal, traffic, or highway laws of the state.
- b. Such "Peace Officers," as described above, are hereby exempt from the confines of this ordinance when in the actual carrying out of their duties. Moreover, "Peace Officers" who are not in the actual carrying out of their duties and in possession of a weapon or firearm must possess on their person valid identification as an authorized law enforcement officer of the state, a municipality, a sheriff, or other public agency.
- c. Any elected or appointed head of a law enforcement department or any elected officials in other offices who have authorization to carry a weapon or firearm and carry a firearm certification.
- d. Security guards, as hired by St. Tammany Parish Government whose permanent job duty is to provide for the protection and safety of Parish citizens and employees in public buildings or on public property, must be specifically authorized by St. Tammany Parish Government to possess and use a firearm or weapon in the carrying out of their duties and carry a firearm certification.

- (4) Possession of a concealed handgun permit is not a defense and does not permit the bearer to enter into a public building or onto public property as defined in this ordinance.

- (5) Notice of this section of the St. Tammany Parish Code of Ordinances shall be posted generally and conspicuously at the entrance of all public buildings.

- (6) Any violation hereof shall constitute a misdemeanor offense punishable as contained in Section 1-008.0 of this Code of Ordinances.

Ordinance Administrative Comment

**ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES,
CHAPTER 2, ARTICLE VIII, PARISH BUILDINGS, TO PROHIBIT THE POSSESSION,
USE AND/OR DISCHARGE OF WEAPONS/FIREARMS ON PARISH-OWNED
PROPERTY.**

This ordinance is to amend the St. Tammany Parish Code of Ordinances to prohibit possession and use of firearms/weapons on all Parish-owned property. While ordinances exist for the Justice Center and Tammany Trace, this ordinance will provide comprehensive protection for citizens and Parish employees.