

ORDINANCE 2021 - 009

**AN ORDINANCE
PROHIBITING DEADLY WEAPONS FROM THE DELAWARE COUNTY JUSTICE
CENTER AND THE DELAWARE COUNTY JUVENILE COURT**

ORIGINAL

WHEREAS, the Board of Judges of the Delaware Circuit Court and the Delaware County Courthouse Security Committee has determined that the carrying in of deadly weapons into the Delaware County Justice and Rehabilitation Center presents significant security and other issues related to the proper functioning of the Courts; and

WHEREAS, the Delaware County Commissioners are responsible for the Delaware County Justice and Rehabilitation Center and the items that may be brought into the Justice and Rehabilitation Center by members of the public.

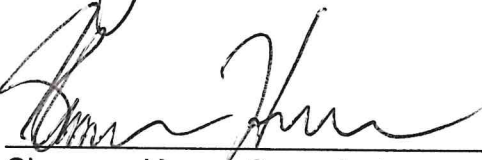
NOW, THEREFORE, THE DELAWARE COUNTY COMMISSIONERS HEREBY ISSUE AND DIRECT THE FOLLOWING ORDINANCE:


- 1) A “deadly weapon” means: a loaded or unloaded firearm; a weapon, device, laser or electronic stun gun, equipment, chemical substance, knife or other material that in the manner it is used, could ordinarily be used or is intended to be used, is readily capable of causing serious bodily injury. “Firearm” means any weapon which is capable of, designed to or that may readily be converted to expel a projectile by means of an explosion.
- 2) A person shall not possess a deadly weapon as defined in this Ordinance within in the Delaware County Justice and Rehabilitation Center or Delaware County Juvenile Court, including its lobby. Any person in violation of this section shall be subject to a fine up to one thousand dollars (\$1,000.00) per violation and confiscation of the deadly weapon. The County Attorney is hereby authorized to enforce this ordinance through the Delaware County court system.
- 3) Excepted persons: The prohibition of Section 2 does not apply to marshals, sheriff, deputy sheriff, police officers, law enforcement officers, judges, magistrates, master commissioners, bailiffs, prosecuting attorneys, deputy

prosecuting attorneys, investigators duly appointed by the prosecuting attorney, law enforcement agents of the United States duly authorized to carry deadly weapons, former police or law enforcement officers, if serving as security for any agency or function of County government, and any employee who works within the Delaware County Justice and Rehabilitation Center so long as the employee holds a valid personal protection gun permit, is granted permission by their supervisor and/or department head, and is not otherwise prohibited by state or federal law from possessing a firearm.

Effective date: 4/5/2021


James King, Commissioner


Shannon Henry, Commissioner


Sherry Riggan, Commissioner

Attest: 4-5-2021


Steven Craycraft, Auditor