

Category: 100 – GENERAL/ADMINISTRATIVE

Number: 112

Subject: **Possession of Dangerous Weapons on County Property**

AMENDED ORDINANCE #01-70
County of St. Clair Ordinance
Possession of Dangerous Weapons on County Property

An Ordinance establishing a policy regarding the possession of dangerous weapons on any property owned, leased, rented, contracted or possessed by the County of St. Clair, excluding property operated by the St. Clair County Parks and Recreation Commission, to ensure safe use of such property by employees and the public. This policy also authorizes the County Sheriff and/or the County Administrator to set up procedures and maintain equipment necessary to enforce this ordinance as may be required. Be it ordained by the Board of County Commissioners of the County of St. Clair, Michigan:

Section 1: Possession of Dangerous Weapons:

- A. Purpose: The purpose of this ordinance is to promote safety and security within County of St. Clair buildings and on County of St. Clair property, with the exception of property operated by the St. Clair County Parks and Recreation Commission, by prohibiting the possession of dangerous weapons in and around such facilities.
- B. Definition: “Dangerous weapon” means a weapon, device, instrument, bomb, destructive or debilitating device, material or substance, animate or inanimate, that is used for, intended for use for or is readily capable of, causing death or serious bodily injury, including but not limited to:
 - 1. Firearms (which are defined as any deadly weapon capable of projecting or propelling one or more projectiles by the action of any explosive or combustible propellant or compressed gas, and includes unloaded firearms and firearms which are inoperable but which can readily be rendered operable);
 - 2. Daggers, dirks, stilettos, iron bars, clubs, brass knuckles, or knives having a blade over 3 inches in length;
 - 3. Any fake or simulated weapon when possessed or used with the intent that it is perceived as, or under such circumstances that a reasonable person would perceive it to be, a “dangerous weapon” as used herein; and
 - 4. Any harmful or debilitating chemical, gas or other substance ejecting devices.“Dangerous Weapon” does not include a pocketknife with a blade of less than three inches in length or a "self-defense spray device" as defined by MCL 750.224d
- C. Dangerous Weapon Possession Violation Penalty: Except as provided herein, it shall be unlawful for any person to have in their possession a dangerous weapon while such person is on any property owned, leased, rented, contracted or possessed by the County of St. Clair. Such property shall exclude any property operated by the St. Clair County Parks and Recreation Commission. Any person convicted of a violation of this ordinance shall be punished by forfeiture of the weapon(s) and a fine of not more than one thousand (\$1,000) dollars or by imprisonment in the County Jail for not more than six (6) months or by both such fines and imprisonment.
- D. Exceptions to Prohibition: This ordinance does not apply to the following persons:
 - 1. Elected officials of a County, City, State of Michigan or the United States;

2. A peace officer of a duly authorized police agency of the United States, of this state, or of any political subdivision of this state, who is regularly employed and paid by the United States, this state, or a political subdivision of this state;
3. Any person regularly employed by the state department of corrections and authorized by the department of corrections to carry a weapon while in the official performance of his or her duties or while going to or returning from those duties;
4. A person employed by a private vendor that operates a youth correctional facility authorized under section 20g of 1953 PA 232, MCL 791.220g, who meets the same criteria established by the director of the state department of corrections for departmental employees described in subdivision (3) and who is authorized in writing by the director of the department of corrections to carry a weapon while in the official performance of his or her duties or while going to or returning from those duties;
5. Any member of the army, air force, navy, or Marine Corps of the United States when carrying weapons in line of or incidental to duty;
6. Members of the national guard, armed forces reserves, or other duly authorized military organizations when on duty or drill, or in going to or returning from their places of assembly or practice by a direct route or otherwise, while carrying weapons used for purposes of the national guard, armed forces reserves, or other duly authorized military organizations;
7. Any employees of a County, City, State of Michigan or United States who are specifically authorized to carry a weapon as part of their job duties or are issued a weapon by such an employer to carry during the course of employment while in the official performance of his or her duties or while going to or returning from those duties;
8. Private security guards, which are otherwise authorized and licensed to carry a weapon, while in the official performance of his or her duties or while going to or returning from those duties;
9. Criminal investigators of the attorney generals office, criminal investigators of a prosecuting attorneys office, prosecutors and their deputies;
10. Court clerks, witnesses, jurors, attorneys, and other persons in possession of an inoperable or appropriately secured dangerous weapon, which has been or is intended to be offered as a courtroom exhibit. Whether a dangerous weapon is appropriately secured shall be determined by either the St. Clair County Sheriff or the presiding judge;
11. Persons transporting weapons in motor vehicles and aircraft in compliance with applicable state and federal law; or
12. Persons presenting weapons to the St. Clair County Sheriff or to a duly authorized deputy for safety inspections authorized by law.

The possession by a person of a valid permit to carry a concealed weapon does not make that person exempt from this ordinance. This ordinance does not authorize any person to carry a concealed weapon who is not otherwise authorized to do so by the laws of this State.

- E. Posting: A copy of this Ordinance shall be posted in a conspicuous place near the main entrance to St. Clair County facilities and buildings.

Section 2. Effective date: December 13, 2001
Amended Date: May 17, 2006