

CHAPTER 37

WEAPONS-FREE AREAS

37.01 Purpose
37.02 Definitions
37.03 Restrictions

37.04 Exemptions
37.05 Penalties

37.01 PURPOSE. The purpose of this chapter is to provide for the safety and enjoyment of City facilities as weapons-free areas.

37.02 DEFINITIONS. For use in this chapter, the following phrases are defined:

1. "City facilities" is defined as the City Hall Building and Council Chambers, Police & Ambulance Building, Fire Station, Wright Medical Center, Clarion Depot, Clarion Library, Aquatic Center and Parks, all real property, parking areas and appurtenances thereto owned, leased or under the control of City of Clarion or any subdivision thereof. "City facilities" does not include areas within a road right-of-way.

2. "Dangerous weapon" is defined as any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the person possessing the instrument or device intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon as defined in Iowa Code section 724.1, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length.

37.03 RESTRICTIONS. No person shall carry a dangerous weapon in or onto City facilities, unless the person meets the conditions of an exception listed in Section 37.04. The prohibitions of this chapter apply whether or not the person possesses a valid Iowa permit to carry weapons.

37.04 EXEMPTIONS. It is not a violation of this chapter for a person to carry a dangerous weapon in or onto City facilities if the person:

1. Is a peace officer as defined in Iowa Code section 801.4; or
2. Is a member of the armed forces of the United States or of the national guard, when the person's duties or lawful activities require carrying a dangerous weapon in or onto City facilities; or
3. Possesses a valid Iowa professional permit to carry a weapon and the person's duties require carrying a dangerous weapon in or onto City facilities; or
4. Possesses a dangerous weapon for any purpose authorized by a State agency to further the statutory or regulatory responsibilities of that agency. Such an authorization shall not become effective until it has been issued in writing to the

person to whom it applies and until copies of the authorization have been received by the Chief of Police; or

5. Is a member of a recognized military veterans organization performing a City-sponsored or approved honor guard service on City facilities.

37.05 PENALTIES. Violation of this chapter constitutes a simple misdemeanor, punishable by a fine of at least \$65.00 and no more than \$625.00, and/or up to 30 days in jail. In addition, any person believed to have violated this chapter may be denied access to City facilities and the weapon may be confiscated. Additional applicable criminal charges may also be filed. This chapter may be enforced by any State or City or County officer or employee, any peace officer or any employee of a law enforcement agency.

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[The next page is 185]