

CHAPTER 96: CARRYING OF CONCEALED WEAPONS, DISPLAYING OF FIREARMS,
AND LIMITED PERMIT FOR EXEMPTION

Section

96.01 Authority

96.02 Purpose

96.03 Displaying of Handguns on County Property

96.04 Carrying of Concealed Weapons on County Property

96.05 Posting of Signs Required

96.06 Location of Signs

96.07 Limited Permit for Exemption from Firearms Regulations

96.08 Effective Date

§ 96.01 AUTHORITY.

This chapter is adopted pursuant to G.S. Chapter 153A-129 and G.S. Chapter 14-415.23.
(Ord. passed 1-20-95)

§ 96.02 PURPOSE.

Chapter 398 of the 1995 Session Laws changes prior law by establishing a system that will allow private citizens to obtain permits to carry concealed handguns. This change in the law will significantly increase the number of individuals who may legally carry concealed handguns. The Board of Commissioners is concerned about the increased presence of concealed handguns on County property and about the threat that such increased presence will pose to the health, safety, and general welfare of the community. It is the intent of this chapter to permit the posting of County property such that the carrying of concealed handguns on the posted premises will constitute a violation of N.C.G.S. Chapter 14, Article 54, and that the display of all fire arms on public property will constitute a violation of G.S. §153A-129.
(Ord. passed 1-20-95)

§ 96.03 DISPLAYING OF HANDGUNS ON COUNTY PROPERTY.

It shall be unlawful and a violation of N.C.G.S. § 1 53A-129 for any person to display a handgun on any real property legally owned or controlled by Haywood County.
(Ord. passed 1-20-95)

§ 96.04 CARRYING OF CONCEALED WEAPONS ON COUNTY PROPERTY.

It shall be unlawful and a violation of N.C.G.S. Chapter 14, Article 54B for any person to carry a concealed handgun on any real property legally owned or controlled by Haywood County.

(Ord. passed 1-20-95)

§ 96.05 POSTING OF SIGNS REQUIRED.

The County Manager is hereby ordered to post appropriate signage on each park, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Haywood County as well as the appurtenant premises to such buildings, and any other real property legally owned or controlled by the County, indicating that all concealed handguns and the display of other firearms are prohibited therein.

(Ord. passed 1-20-95)

§ 96.06 LOCATION OF SIGNS.

Said signs shall be visibly posted on the exterior of each entrance by which the general public can access the building, appurtenant premise, park, or other County property. The County Manager shall exercise discretion in determining the necessity and appropriate location for other signs posted on the interior of the building, appurtenant premise, or park.

(Ord. passed 1-20-95)

§ 96.07 LIMITED PERMIT FOR EXEMPTION FROM FIREARMS REGULATIONS

Notwithstanding the provisions of this chapter, the Haywood County Sheriff may issue a "Limited Permit for Exemption from Firearms Regulations" which shall grant the permit holder limited exemption from the prohibitions enumerated in sections 96.03 and 96.04 of this chapter. Any person seeking such a permit shall file an application with the Haywood County Sheriff. The Sheriff shall notify the County Manager of any filing of application under this section and advise the County Manager as to the status and decision upon any such application. Application for a permit granting such exemption shall be in a form as determined by the Haywood County Sheriff. Such application shall only be issued when the Sheriff has satisfied himself that the following responsibilities will be met by the permit applicant:

1. On duty law enforcement security shall be present at all times, the expense of which shall be paid by the permit applicant at a fair market rate established by the Sheriff, when weapons will be displayed or carried by any person on real property legally owned or controlled by Haywood County,
2. Persons engaging in sales of firearms shall be authorized to conduct such transactions in accordance with the laws of North Carolina and the United States and such sales shall be limited to new firearms and accessories,
3. All required permits, licenses, receipts and other documentation required by law shall be filed in accordance with the law and any permit for sale or carrying of any handgun shall be issued by the Haywood County Sheriff,
4. Each firearm sold or possessed on real property legally owned or controlled by Haywood County shall be unloaded and locked by a device that would render impossible the discharge of said firearm,

5. Any person purchasing a firearm on real property legally owned or controlled by Haywood County shall provide for transportation of the firearm off of the premises as immediately as practicable,
6. Any person engaging in the sale of a firearm shall assume all responsibility for their merchandise including, but not limited to, compliance with State and Federal laws, maintenance of liability insurance, and indemnification of the owner and lessee of the premises where sales are transacted, and
7. A comprehensive list of vendors and exhibitors of firearms shall be made available for public inspection no less than twenty-four (24) hours before the effective date of the permit.

Upon approval of an application for a permit granting exemption under sections 96.03 and 96.04 by the Haywood County Sheriff, a "Limited Permit for Exemption from Firearm Regulations" may be issued to the applicant by the Haywood County Sheriff. The permit shall include the conditions and limitations set forth herein and additional conditions and limitations as the Haywood County Sheriff may deem reasonable and necessary to protect the health and welfare of the citizens and residents of Haywood County and persons attending events permitted under the limited permit authorized under this Chapter. The permit shall further set forth the time and place which the permit holder may exercise the privileges granted under this section, not to exceed five (5) consecutive days, or four (4) non-consecutive days. The permit holder shall keep the permit in his/her possession or on the premises and make such permit available for inspection by law enforcement and the public at all times during the time that the permit is effective. The permit shall be in a form as issued by the Haywood County Sheriff. The Haywood County Sheriff may charge a fee of \$_____ to a permit applicant to cover the administrative costs of executing this section.

The Haywood County Sheriff may revoke a permit granted under this section at any time that the permit holder is found to be in violation of the laws of North Carolina, the United States, the provisions of the permit application, or for good cause in order to protect the general welfare of the citizen of Haywood County.

(Amended 03-03-08)

§ 96.08 EFFECTIVE DATE

This chapter and the amendments thereto shall be effective on and after November 20, 2008.

(Ord. passed 11-20-95, Amended 03-03-08)