

**MONTGOMERY COUNTY COMMISSIONERS**

**ORDINANCE 2016-26**

**AN ORDINANCE AMENDING THE WEAPONS POLICY FOR  
THE MONTGOMERY COUNTY COURTHOUSE**

WHEREAS, Section 130.02 of the Montgomery County Code prohibits certain weapons from the Montgomery County Courthouse and provides for the administration of this prohibition;

AND WHEREAS, the Sheriff has requested that this existing weapons policy be clarified in order to clarify how various types of weapons will be handled once they are taken into possession by the Courthouse Security Officers;

AND WHEREAS, the Board of Commissioners finds that this Section should be amended in order to provide for improved safety and security for County employees and members of the public doing business in the courthouse;

IT IS, THEREFORE, ORDAINED that Section 130.02 is hereby amended to read as follows:

**“§130.02 WEAPONS PROHIBITED IN COUNTY COURTHOUSE**

**(D) Consent to Search and Refusal to Comply**

1. Consent to Search: All non-exempt persons seeking access to the courthouse shall consent to a reasonable search of their person and possessions by courthouse security officers and electronic devices.

2. Legal Firearms: Any non-exempt person who is found to lawfully have in his or her possession a firearm which is prohibited in the courthouse by this Ordinance will be required to surrender the firearm to courthouse security officers during the person's visit in the courthouse. The firearm will be stored by courthouse security officers and returned to the person when he or she exits the courthouse.

3. Illegal Weapons: Any illegal weapon discovered which is not legally possessed by a non-exempt person will be seized and held for disposition as provided by law rather than being returned to the non-exempt person.

4. Other Legal Weapons: Any non-exempt person who is found to lawfully have in his or her possession a weapon, other than a lawfully-possessed firearm, which is prohibited in the courthouse by this Ordinance will be required to surrender the weapon to courthouse security officers during the person's visit in the courthouse. The weapon will be stored by the courthouse

security officers and returned to the person when he or she exits the courthouse.

5. Failure to Consent To Search: Any person who refuses to comply with this Ordinance shall be denied entry into the Courthouse.”


**IT IS FURTHER ORDAINED** that all other provisions of the Montgomery County Code which are not expressly amended by this ordinance, will remain in full force and effect.

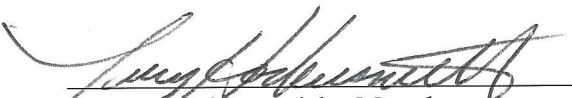
**IT IS FURTHER ORDAINED** that this ordinance should take effect upon adoption by the Montgomery County Commissioners.

Adopted this 10<sup>th</sup> day of October, 2016.

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

  
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Jim Fulwider, President

  
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Phil Bane, Vice President

  
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Terry Hockersmith, Member

ATTEST:

  
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Jennifer Andel, Auditor