

ORDINANCE NO. 1415

An ordinance amending Chapter 22 of the Code of the City of Jamestown, North Dakota, by amending Section 22-49.1 which sets forth regulations and penalties concerning possession of firearms at public gatherings in the City of Jamestown.

WHEREAS, the North Dakota Legislative Assembly has enacted new regulations and penalties to the offense of possessing a firearm at a public gathering.

WHEREAS, to allow enforcement of the new provisions the City Code of the City of Jamestown requires updating.

NOW, THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Chapter 22, Section 22-49.1, be amended and re-enacted as follows:

Sec. 22-49.1. Possession of a firearm at a public gathering—Penalty—Application.

(1) An individual who possesses a firearm at a public gathering is guilty of a class B misdemeanor. For the purpose of this section, "public gathering" includes athletic or sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, and individuals in publicly owned parks where hunting is not allowed by proclamation and publicly owned or operated buildings.

(2) This section does not apply to:

- a. A law enforcement officer;
- b. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations, when on duty;
- c. A competitor participating in an organized sport shooting event;
- d. A gun or antique show;
- e. A participant using a blank cartridge firearm at a sporting or theatrical event;
- f. A firearm carried in a temporary residence or motor vehicle;
- g. A student and an instructor at a hunter safety class;
- h. Private security personnel while on duty;


- i. A state or federal park;
- j. An instructor, a test administrator, an official, or a participant in educational, training, cultural, or competitive events involving the authorized use of a dangerous weapon if the event occurs with permission of the person or entity with authority over the function or premises in question; and
- k. An individual possessing a valid Class 1 concealed weapons license from this state or who has reciprocity under NDCC § 62.1-04-03.1 authorizing the individual to carry a dangerous weapon concealed if the individual is in a church building or other place of worship and has the approval to carry in the church building or other place of worship by a primary religious leader of the church or other place of worship or the governing body of the church or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual; and
- l. A municipal court judge, a district court judge, a staff member of the office of attorney general, and a retired North Dakota law enforcement officer if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient.

ATTEST:

APPROVED:



Jeff Fuchs, City Administrator



Katie Andersen, Mayor

Introduced by Council Member Brubakken

Seconded by Council Member Kourajian

First Reading: July 1, 2013

Second Reading: July 26, 2013

Final Passage: July 26, 2013

Consent Roll Call No. 1, Item 15, showed: 3 ayes, 0 nays, 2 absent.