

ORDINANCE NO.: 2019-02

AN ORDINANCE TO AMEND TITLE 11, CHAPTER 5 OF THE TOWN OF SIGNAL MOUNTAIN MUNICIPAL CODE, ENTITLED "FIREARMS, WEAPONS AND MISSILES".

WHEREAS, Tennessee Code Annotated 39-17-1314 preempts the whole field of the regulation of firearms and provides only limited authority to municipalities to enact any such regulation; and

WHEREAS, the current language in Title 11, Chapter 5, Section 11-501 and Section 11-503 of the Town of Signal Mountain Municipal Code is in conflict with the above referenced statute and outside the authority granted thereby; and

WHEREAS, any dangerous or injurious conduct or actions relative to Section 11-502 are otherwise prohibited by state law; and

WHEREAS, Tennessee Code Annotated 39-17-1311 et seq. establishes statutory authorities and requirements for carrying weapons in public parks, playgrounds, civic centers and other public recreational buildings and grounds; and

WHEREAS, Tennessee Code Annotated 39-17-1359 et seq. establishes when handgun carry permit holders shall be restricted from possession of firearms on Town owned properties;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

SECTION 1. Title 11, Chapter 5 of the Signal Mountain Municipal Code shall be deleted in its entirety and shall be replaced with the following language:

CHAPTER 5
FIREARMS

SECTION

11-501. Firearms

11-502. Hunting

11-503. Possession of firearms in Town owned properties

11-501. Firearms. It shall be unlawful for any person to discharge firearms within the corporate limits of the Town of Signal Mountain, except when and where the discharge of a firearm is expressly authorized or permitted by state law and/or the regulations of the Tennessee Wildlife Commission.

11-502. Hunting. It shall be unlawful to hunt on any property owned, leased or otherwise controlled by the Town of Signal Mountain. Hunting on private property is

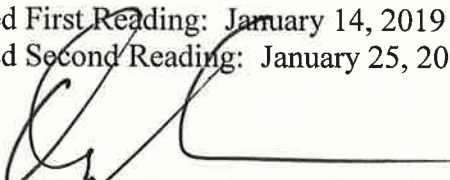
controlled by and must comply with state law and/or the regulations of the Tennessee Wildlife Commission.

11-503. Possession of firearms in Town owned properties. In accordance with TCA 39-17-1359, the following regulations shall be strictly enforced. Violations are punishable to the extent allowable under state law.

- (1) Except as otherwise provided by state law, firearms shall be prohibited on any Town owned or operated properties if in the possession of a person who does not hold a valid handgun carry permit issued or recognized by the state of Tennessee.
- (2) In general, persons who hold a valid handgun carry permit pursuant to TCA 39-17-1351 shall be able to lawfully possess a firearm on Town owned property.
- (3) The Town may restrict possession of firearms by a handgun carry permit holder if the following are provided at each public entrance to the property:
 - a. Metal detection devices;
 - b. At least one (1) law enforcement or private security officer who has been adequately trained to conduct inspections of persons entering the property by use of metal detection devices; and
 - c. That each person who enters the property through the public entrance when the property is open to the public and any bag, package, and other container carried by the person is inspected by a law enforcement or private security officer or an authorized representative with the authority to deny entry to the property.
- (4) The possession of firearms including by a handgun carry permit holder is prohibited at the following locations:
 - a. In the immediate vicinity of any Town owned athletic field, park, or other similar public place during any school sponsored athletic event or other school-related activity;
 - b. Buildings in which judicial proceedings take place including the Signal Mountain Town Hall, regardless of whether a judicial proceeding is in progress;
 - c. Buildings that contain a law enforcement agency including the Signal Mountain Police and Fire Department buildings; and
 - d. The Signal Mountain Public Library

SECTION 2. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading: January 14, 2019
Passed Second Reading: January 25, 2019



Dan Landrum, Mayor

Date

1-25-19



Recorder

Date

1-25-19