

TOWN OF GRANT
PORTAGE COUNTY, WISCONSIN
FIREARMS AND DANGEROUS WEAPONS ORDINANCE
ORDINANCE NO. 2022-01

SECTION 1: PURPOSE

The purpose of this ordinance is to exclude firearms and weapons from being carried in a Town owned structure or vehicle.

SECTION 2: AUTHORITY

The Town Board has the specific authority under Wis. Stat. § 60.61. and has the general authority under its village powers under Wis. Stat. § 60.22(3) to adopt this ordinance.

The Town Board additionally has authority under Wis. Stat. § 943.13(1m)(c)4 to notice all persons that it is unlawful for any person to enter or remain in any part of a building that is owned, occupied, or controlled by the Town of Grant while carrying a firearm or a type of firearm.

SECTION 3: ADOPTION OF ORDINANCE

This Ordinance, adopted by a majority of the Town Board on a roll call vote with a quorum present, and voting, and proper notice having been given, provides for the prohibition of concealed or unconcealed possession of a firearm or dangerous weapon in any building or vehicle owned by the Town of Grant.

SECTION 4: DEFINITIONS

The following words, terms and phrases, shall have the meaning indicated:

Bona fide peace officer means any person specifically employed as a law enforcement officer as defined by Wis. Stats. § 165.85(2)(c).

Carry means to go armed with.

Conceal and concealed means to hide or be hidden from ordinary observation.

Dangerous weapon and ***weapon*** mean any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous, per se: Blackjack; billyclub; sandclub; sandbag; bludgeon; slingshot; handgun; pistol; revolver; long guns; any instrument which impels a missile by compressed air, spring or other means (air gun, pellet gun, spring gun); any weapon upon which loaded or blank cartridges are used; cross knuckles; knuckles of any metal, barbed or blade type; arrowhead; bowie knife; dirk knife; dirk dagger; any knife which has a blade that may be drawn without the necessity of contact with the blade itself but is instead automatically opened by slight pressure on the handle or some other part of the knife and is commonly known as a switchblade knife; straightedge razor or any knife having a blade three inches or longer; weapons known as kung fu sticks or nunchuck sticks which are basically two or more pieces of wood or other material connected by a piece of chain or other material; bow and arrow; crossbow; stun gun; TASER or other similar electroshock weapon. Instruments not specified in this definition are nonetheless dangerous weapons when they fall within the terms of this definition.

Firearm means all weapons that act by force of gunpowder within the scope of Wis. Stats. § 167.31(1)(c).

Public place means any area in which the person does not have a reasonable expectation of privacy.

Sign, signs, or signed refers to written information that provides notice as set forth in Wis. Stats. § 943.13(2).

Structure means anything which is constructed, erected, and framed of component parts and which is fastened, anchored, or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fencing, and any structure contemplated by, but not limited to, those enumerated and described in Wis. Stats. § 943.13(1m)(c)4.

SECTION 5: GENERAL PROVISIONS

No person may wear or in any manner carry under his or her clothes or carry and conceal upon or about his or her person or possess unconcealed a firearm or dangerous weapon in any structure or vehicle that is owned, occupied or controlled by the Town of Grant including but not limited to the town hall, garage, and transfer station shed, and any and all vehicles or equipment used to maintain Town of Grant roads and aforementioned facilities whether now in existence, later constructed, or purchased, provided that the building and vehicle is posted with “signs” meeting the requirements of Wis. Stats. § 943.13(2).

Exceptions. These provisions do not apply to any of the following:

- a. Bona fide peace officers. Notwithstanding Wis. Stats. § 939.22 (22), for purposes of this ordinance, bona fide peace officer does not include a commission warden who is not a state-certified commission warden.
- b. A qualified out-of-state law enforcement officer, as defined in Wis. Stats. § 941.23(1)(g), to whom Wis. Stats. §§ 941.23(2)(b)1. to 3. applies.
- c. A former officer, as defined in Wis. Stats. § 941.23(1)(c), to whom Wis. Stats. §§ 941.23(2)(c)1. to 7. applies.

The prohibitions set forth do not apply to a firearm in a privately owned vehicle driven or parked in the designated parking location for a public place, or to any part of a grounds or land used as a parking facility.

SECTION 6: ENFORCEMENT AND PENALTIES

Any person who enters or remains in a Town structure or vehicle contrary to this Ordinance will be considered a trespasser subject to penalty as set forth in this Ordinance and by the County of Portage and by the State of Wisconsin. The penalty for conviction of a violation of this section is as set forth in the Ordinance Relating to Issuance of Citations for Violations of Town Ordinances No #530-2008. Violation of this ordinance may further result in misdemeanor or felony charges brought by county, state or federal authorities dependent upon the nature and severity of the violation.

Town employees found to be violating this Ordinance, while at their place of employment, in addition to remedies, enforcement, and penalties provided in the Ordinance, may be additionally subject to

disciplinary steps of the disciplinary procedure in effect at the time which the violation is found to occur, up to and including immediate termination and separation of employment.

SECTION 7: SEVERABILITY

Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

SECTION 8: VALIDITY

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

The Town of Grant voted to adopt this Ordinance on January 12, 2022
Ordinance #: 2022-01

Signed:

Sharon Schwab
Chairperson

[Signature]
Supervisor

[Signature]
Supervisor

Witnessed:

[Signature]
Town Clerk

Jan. 17, 2022
Dated

Feb. 2, 2022

Posted: Town Hall, Transfer Station, Town Website