

SEP 11 2007

ORDINANCE NO. 56A-14BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, OFFENSES-MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 15-34, WEAPONS-FIREARMS NOT TO BE CARRIED, OR IN VEHICLE, WHEN LOADED; ENFORCEMENT PROVISIONS; SECTION 15-35, CARRYING CONCEALED WEAPONS; AND SECTION 15-36, DISCHARGE OF FIREARMS, ETC., IN CERTAIN AREAS; EXCEPTIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 15, Offenses - Miscellaneous, is hereby amended and reordained by amending Section 15-34, Weapons-Firearms not to be carried, or in vehicle, when loaded; enforcement provisions; Section 15-35, Carrying concealed weapons; and Section 15-36, Discharge of firearms, etc., in certain areas; exceptions.

Chapter 15, Offenses - Miscellaneous

Sec. 15-34. Weapons-Firearms not to be carried, or in vehicle, when loaded; enforcement provisions.

(b) It shall be unlawful for any person to transport, possess or carry a loaded shotgun or loaded rifle in any vehicle on any public street, road or highway within the county. ~~Game wardens~~ *Conservation police officers*, sheriffs and all other law enforcement officers shall enforce the provisions of this subsection.

The provisions of this subsection shall not apply to duly authorized law enforcement officers or military personnel in the performance of their lawful duties, nor to any person who reasonably believes that a loaded rifle or shotgun is necessary for his personal safety in the course of his employment or business.

State law references-Power of county to regulate the carrying of loaded firearms on public highways, Code of Va., § ~~18.2-287~~ *15.2-1209.1*; transporting a loaded rifle or shotgun, Code of Va., § ~~18.2-287~~ *15.2-915.2*; ~~Uniform Machine Gun Act, Code of Va., § 18.2-288 et seq.; Sawed-off Shotgun Act, Code of Va., § 18.2-299 et seq.; general law as to other illegal weapons, Code of Va., § 18.2-308 et seq.~~

Sec. 15-35. Carrying concealed weapons.

(d) Any person wishing to obtain a permit to carry a concealed handgun must apply pursuant to Section 18.2-308D of the Code of Virginia. In order to determine the applicant's suitability for a concealed handgun permit, the applicant shall be fingerprinted; *however, any person applying for renewal of an existing permit, validly issued by any locality in the commonwealth, shall not be fingerprinted.* The fingerprints and descriptive information shall be forwarded through the Virginia State Police to the Federal Bureau of Investigation for a national criminal history record check. Fingerprints taken pursuant to this section shall not be copied, held, or used for any other purposes.

State law references-For state law as to the carrying of concealed weapons, see Code of Va., § 18.2-308; *requiring fingerprints, Code of Va., § 15.2-915.3.*

Sec. 15-36. Discharge of firearms, etc., in certain areas; exceptions.

(a) It shall be unlawful for any person to discharge any firearms or ~~air-operated or gas-operated weapons~~ *pneumatic gun* in the county in or within 300 feet of any dwelling, commercial building or shelter for animals, except with the prior written permission of owner or tenant, in or within 50 feet of the boundaries of any recorded subdivision, or in a manner which causes ammunition to cross such areas.

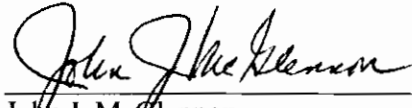
(b) For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them below:

Pneumatic gun. Any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. Pneumatic gun includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

(e) *It shall be unlawful for any minor under the age of 16 to use a pneumatic gun on private or public property unless such minor is under the supervision of a parent, guardian, or other adult supervisor approved by a parent or guardian of such minor. Minors above the age of 16 may, with the written consent of a parent or guardian, use a pneumatic gun on private property with the consent of the owner. Any minor, whether permitted by a parent or guardian to use a pneumatic gun or not, shall be*

responsible for obeying all laws, regulations, and restrictions governing such use. Pneumatic gun offenses shall be punishable as a Class 3 misdemeanor.

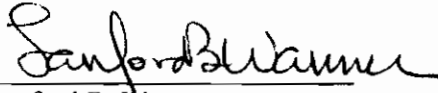
State law references-General powers of counties, Code of Va., § 15.2-1200; shooting of firearms, *or arrows from bows, compound bows, crossbows, longbows, recurve bows, or air or gas-operated weapons* in certain areas prohibited, Code of Va., § 15.2-1209; hunting in certain areas prohibited, Code of Va., § 15.2-1200; *regulation of pneumatic guns, Code of Va., § 15.2-915.4; regulation of compound bows, crossbows, longbows, and recurve bows, Code of Va., § 15.2-916.*



John J. McGlennon
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

ATTEST:



Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2007.