

ADOPTED

JUL 22 1997

ORDINANCE NO. 56A-9

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, OFFENSES-MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 13-35, SAME - CARRYING CONCEALED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Offenses-Miscellaneous, is hereby amended and reordained by amending Section 13-35, Carrying concealed weapons.

Chapter 13. Offenses - Miscellaneous

Sec. 13-35. Same - Carrying concealed ~~weapons~~.

(a) If any person carry about his person, hid from common observation, any pistol, revolver, or other weapon designed or intended to propel a missile of any kind, dirk, bowie knife, ~~spring stick, ballistic knife~~, switchblade knife, razor, slingshot, metal knucks, blackjack, any flailing instrument consisting of two (2) or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nunchuck, nunchaku, shuriken, or fighting chain, ~~any disc, or whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart~~, or any weapon of like kind, he shall be guilty of a Class 1 misdemeanor, and such weapon shall be forfeited to the commonwealth and may be seized by an officer as forfeited, and such as may be needed for police officers, conservators of the peace, and the division of consolidated laboratory services shall be devoted to that purpose, and the remainder shall be destroyed by the officer having them in charge.

- (b) This section shall not apply to:
- (1) Any person while in his own place of abode or the curtilage thereof;
 - (2) Any police officers, sergeants, sheriffs, deputy sheriffs or regular game wardens appointed pursuant to chapter ~~32~~ of title 29 (section ~~29-24 29.1-200~~ et seq.) of the Code of Virginia;
 - (3) Any regularly enrolled member of a target shooting organization who is at, or going to or from, an established shooting range; provided, that the weapons are unloaded and securely wrapped while being transported;
 - (4) Any regularly enrolled member of a weapons collecting organization who is at, or going to or from, a bona fide weapons exhibition; provided, that the weapons are unloaded and securely wrapped while being transported; and
 - (5) Any person carrying such weapons between his place of abode and a place of purchase or repair, provided the weapons are unloaded and securely wrapped while being transported;
 - (6) *Any person actually engaged in lawful hunting, as authorized by the Board of Game and Inland Fisheries, under inclement weather conditions necessitating temporary protection of his firearm from those conditions; and*

(7) Any State Police officer retired from the Department of State Police and any local law-enforcement officer retired from a police department or sheriff's office within the Commonwealth with a service disability or following at least fifteen years of service, other than a person terminated for cause, provided such officer carries with him written proof of consultation with and favorable review of the need to carry a concealed weapon issued by the chief law-enforcement officer of the agency from which the officer retired.

(c) This section shall also not apply to any of the following individuals while in the discharge of their official duties, or while in transit to or from such duties:

- (1) Carriers of the United States mail in rural districts;
- (2) Officers or guards of any state correctional institution;
- (3) Campus police officers appointed pursuant to chapter 17 of title 23 (section 23-232 et seq.) of the Code of Virginia;
- (4) Conservators of the peace, except that the following conservators of the peace shall not be permitted to carry a concealed weapon without obtaining a permit as provided in section 18.2-308D of the Code of Virginia:
 - a. Notaries public;
 - b. Registrars;

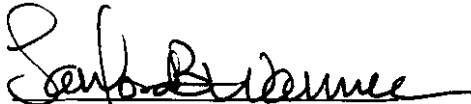
- c. Drivers, operators or other persons in charge of any motor vehicle carrier of passengers for hire;
 - d. Commissioners in chancery; and
- (5) Noncustodial employees of the department of corrections designated to carry weapons by the secretary of public safety or the director of the department of corrections pursuant to section 53-3953.1-20 of the Code of Virginia;
- (6) *Law-enforcement agents of the Armed Forces of the United States and federal agents who are otherwise authorized to carry weapons by federal law while engaged in the performance of their duties.*
- (7) *Law-enforcement agents of the United States Naval Criminal Investigative Service.*
- (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. The fingerprints and descriptive information may be forwarded to the Virginia State Police and/or the Federal Bureau of Investigation in order to obtain a criminal history record check and fingerprint identification information. Fingerprints taken pursuant to this section shall not be copied, held, or used for any other purposes.*

State law reference - For state law as to the carrying of concealed weapons, see Code of Virginia, §18.2-



Jack D. Edwards
Vice Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
TAYLOR	ABSENT
SISK	AYE
DEPUE	AYE
EDWARDS	AYE
MAGOON	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of July,
1997.

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