



Meeting: Village Board
Meeting Date: 10/10/11
Agenda Item: 7a

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Paul F. Evert, Village Administrator

AGENDA ITEM: Discussion regarding the concealed carry issue

ACTION REQUESTED: ___Ordinance ___Resolution ___Motion **X**Discussion

POLICY ISSUE

Does the Village Board wish to take any action relating to the state concealed carry law?

BACKGROUND INFORMATION

On July 8, 2011, Governor Walker signed a “concealed carry law” that becomes effective November 1, 2011. The new law does impact all employers, both public and private, with respect to carrying a concealed weapon, including firearms, in two significant respects.

First, an employer may prohibit the carrying of a concealed weapon (handgun, knife, billy club or Taser) in the course of the employee’s employment. However, an employer may not prohibit a licensed employee from carrying a concealed weapon in the licensee’s own motor vehicle, whether or not the vehicle is used in the course of the employee’s employment or whether the motor vehicle is driven or parked on property used by the employer. For example, an employee with a concealed carry permit who uses his or her personal vehicle for company business may not be prohibited from carrying a concealed weapon in that vehicle even while on company business. Currently the fire department has a policy that does not allow firefighters to carry concealed weapons, but it does not appear there has ever been a policy covering all other employees on this issue.

The new law also prohibits specifically the carrying of concealed or unconcealed weapons into or within a law enforcement facility, a jail, secured mental health facility, a courthouse **(including areas used as municipal courts while in session)** and anywhere beyond the security checkpoint at an airport. These prohibitions do not apply to vehicles driven or parked at such locations.

The new law does give the owner or occupant of a public or private building, a landowner or occupier, or special event organizer the ability to give notice orally, in writing or by posted notice that firearms are not allowed on the premises. This notice prohibition specifically does not apply if a firearm is in a vehicle driven or parked in a parking facility, or to any part of the building, ground or lands used as a parking facility. In addition to the

parking area exception, **the notice prohibitions do not apply (and conceal and carry by licensees is therefore allowed) on private and public college and university campus grounds as well as city and state parks** and other public grounds, and notice prohibiting firearms can be oral, in writing, or by posted notice. The posted notice must be at least five inches by seven inches, and must notify individuals not to enter or to remain in part of the building with a firearm, and must be posted in a prominent place near all of the entrances to the part of the building to which restrictions apply, and any individual entering the building can be reasonably expected to see the sign.

One question that needs to be addressed is “As an employer, does the Village Board wish to prohibit its employees from carrying concealed weapons when working for the Village?” A second question that is presented to our Village Board is “As a property owner, does the Village wish to prohibit or permit concealed weapons in Village buildings?” In addition, when any village department runs or hosts a special event, does the Village wish to prohibit concealed weapons during those events? In the event that the Village Board wishes to prohibit its employees from carrying concealed weapons during the course of employment, a new personnel policy will need to be adopted. In the event the Village wishes to prohibit concealed weapons in its buildings, an ordinance will need to be prepared and adopted and signs will need to be posted. If the Village does not wish to prohibit the carrying of concealed weapons in Village buildings, I suggest that the village post, when municipal court is in session, a notice that concealed weapons are not allowed by state law during municipal court.