

ORDINANCE NO. 2019-0121-04

**AN ORDINANCE TO AMEND SECTION 14-17.2 OF THE CODE OF ORDINANCES
OF THE TOWN OF APEX**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Section 14-17.2 of the Code of Ordinances of the Town of Apex is hereby amended to read as follows:

Sec. 14-17.2 – Possession of weapons prohibited on town property; signage.

(a) Carrying of firearm or deadly weapon prohibited.

(1) Carrying of any firearm or deadly weapon, including concealed handguns carried in accordance with the scope of a concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the North Carolina General Statutes, is prohibited in each building owned, leased as lessee, operated, occupied, managed, or controlled by the town as well as the appurtenant premises to such building. However, firearms may be secured in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle in the parking lot of the town owned property.

(2) Carrying of any firearm or deadly weapon, including concealed handguns carried in accordance with the scope of a concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the North Carolina General Statutes, is prohibited at each athletic field specifically identified in this section during an organized athletic event scheduled by or with the town. The term "during" shall be construed to mean the period of time in which such athletic field is used for the organized athletic event and a one-hour period before and after that athletic event. However, firearms may be secured in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle in the parking lot of the athletic field.

(a) Baseball/softball fields including dugouts, stands, batting cages, pitching cages, warm up areas and sidelines:

1. Apex Community Park—fields 1, 2, 3;
2. Kelly Road Park;
3. Hunter Street Park;
4. Jaycee Park;
5. Pleasant Park.

(b) Soccer fields including stands and sidelines:

1. Apex Community Park—front fields;
2. Hunter Street Park;
3. Jaycee Park;
4. Apex Nature Park/Seymour Athletic Fields;
5. Salem Pond Park;
6. Pleasant Park.

(3) Carrying of a firearm or deadly weapon, including concealed handguns carried in accordance with the scope of a concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the North Carolina General Statutes, is prohibited at each facility specifically identified in this section. However, firearms may be secured in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle in the parking lot of the facility.

a. Volleyball courts including stands and sidelines:

1. Apex Community Park;
2. Apex Nature Park/Seymour Athletic Fields;
3. Pleasant Park.

b. Tennis and Pickleball courts including stands and sidelines:

1. Apex Community Park;
2. Kelly Road Park;
3. Apex Nature Park/Seymour Athletic Fields;
4. Pleasant Park.

(b) *Signs.*

(1) *Posting of signs required.* The town manager is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each recreational facility specifically identified in this section and each building or portion of a building owned, leased as lessee, operated, occupied, managed, or controlled by the town, as well as the appurtenant premises to such buildings, indicating that carrying a concealed handgun is prohibited therein.

(2) *Location of signs.* Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The town manager shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and the recreational facilities specifically identified in this section.

(c) This section shall not apply to law enforcement or other government personnel acting within the scope of their employment or to the possession of a firearm or other weapon on residential property, leased by the town, by the resident of said property.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any part of this ordinance shall be adjudged invalid, such adjudication shall apply only to such part so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 3. This ordinance shall be effective upon enactment.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, MMC, NCCMC
Town Clerk

Jacques Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney

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