

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
SECTION 36-87 OF THE CODE OF ORDINANCES TO ELIMINATE THE CITY
MANAGER'S AUTHORITY TO PERMIT NON-SWORN CITY EMPLOYEES TO CARRY
CONCEALED WEAPONS WHILE ON DUTY**

WHEREAS, the City Council previously granted the City Manager authority to permit non-sworn employees to carry concealed weapons while performing city duties; and

WHEREAS, this authority was granted under a former Police Chief and City Attorney, and without consultation with our insurance carrier; and

WHEREAS, additional safety measures (body cameras) are now available to all City employees to ensure that any inappropriate interactions are recorded in a manner that protects the employee; and

WHEREAS, law enforcement is always available to accompany employees when necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that Section 36-87 of the Code of Ordinances for the City of Hendersonville shall be amended to add a new subparagraph (a) as follows:

Sec. 36-87. Weapons on city-owned or city-maintained property.

(a) *Carry of certain weapons prohibited.*

- (1) *Prohibited acts.* Except as provided in subsection (b) of this section, all persons are prohibited from possessing firearms as defined in G.S. 14-415.10 in city government buildings and their appurtenant premises.
- (2) Where posted, the carrying of a concealed handgun on city government recreational facilities identified specifically as follows is hereby prohibited:
 - a. Patton Park athletic fields including any appurtenant facilities such as restrooms, during an organized athletic event, if the fields have been scheduled for use with the city department of public works;
 - b. Patton Park swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool;
 - c. Boyd Park and Patton Park tennis courts during organized athletic events, if the courts have been scheduled for use with the city department of public works;
 - d. William H. King Park baseball field including any appurtenant facilities such as restrooms, during an organized athletic event, if the field has been scheduled for use with the city department of public works;
 - e. Sullivan Park basketball facility including appurtenant facilities such as restrooms, during an organized athletic event, if the facility has been scheduled for use with the city department of public works;

- f. Whitmire Activity Center shuffleboard courts including appurtenant facilities such as restrooms, during an organized athletic event, if the courts have been scheduled for use with the city department of public works.
- (b) Exceptions. This prohibition of subsection (a) of this section shall not apply to the following persons:
- (1) Officers and enlisted personnel of the armed forces of the United States when discharging their official duties as such and acting under orders requiring them to carry arms and weapons;
 - (2) Civil officers of the United States while in the discharge of their official duties;
 - (3) Officers and soldiers of the national guard when called into actual service;
 - (4) Sworn law enforcement officers;
 - (5) County animal control officers while in the discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;
 - (6) Employees of the city, a utility company, or a contractor to the city, may possess tools approved by their employer so long as such tools are not used as a weapon; and
 - (7) Persons possessing a written permit from the chief of police to possess weapons for ceremonial purposes or funerals.
 - ~~(8) City employees with a valid North Carolina concealed carry permit and prior approval which may be granted by the city manager in consultation with the chief of police in such places and under such circumstances as the city manager may from time to time designate. The city manager is hereby authorized and directed to draw up and keep current from time to time such policies for the carrying of concealed weapons as the city manager, in consultation with the chief of police, may determine is in the interest of the health, safety and welfare of the city.~~
- (c) In addition to any other remedy available, violation of this section is also a misdemeanor as provided in section 1-6.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September 2026.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

