

ORDINANCE NO. 2529

AN ORDINANCE TO ADOPT CHAPTER 63, SECTION 63-1 OF THE CODE OF SUSSEX COUNTY WHICH SHALL PROHIBIT POSSESSION OF FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS, OR EXPLOSIVES IN ALL COUNTY BUILDINGS, SUBJECT TO CERTAIN EXCEPTIONS, IN ACCORDANCE WITH TITLE 9, SECTION 330 OF THE DELAWARE CODE

WHEREAS, Sussex County has determined that the County buildings are in need of enhanced security measures to protect its employees and visitors from potential harm; and

WHEREAS, as part of its implementation of these enhanced security measures, Sussex County desires to prohibit possession of firearms, ammunition, components of firearms and explosives from all County buildings as defined herein; and

WHEREAS, Title 9, Section 330 of the Delaware Code grants Sussex County the authority to adopt an ordinance regulating the possession of firearms, ammunition, components of firearms and explosives from all County buildings, subject to certain exceptions and inclusion of certain required language therein.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, is hereby amended by adopting a new Chapter 63, entitled "Firearms," and a new § 63-1, entitled, "Possession of firearms, ammunition, components of firearms, or explosives in County buildings," by inserting the underlined language as follows:

"§ 63-1 Possession of firearms, ammunition, components of firearms, or explosives in County buildings.

- a. Possession of Firearms Prohibited. Except as set forth in section e. below, possession of firearms, ammunition, components of firearms, or explosives is prohibited in all County buildings. Persons in violation shall be denied entrance to the building or shall be ordered to leave the building.

- b. County Building Defined. For purposes of this section, “County buildings” shall be defined as any building where a county government entity meets in its official capacity or containing the offices of elected officials and of public employees actively engaged in performing governmental business but excluding any parking facility; provided, however, that if such building is not a County-owned or -leased building, such building shall be considered a county building for the purposes of this section only during the time such government entity is meeting in or occupying such a building.
- c. Required Signs. In all County buildings, a conspicuous sign shall be posted at each entrance stating that the possession of firearms, ammunition, components of firearms, or explosives are prohibited. Such sign may also state that persons in violation shall be denied entrance to the building or shall be ordered to leave the building.
- d. Immediate Departure. Any person who immediately foregoes entry or immediately exits any County building due to the possession of a firearm, ammunition, components of firearms, or explosives shall not be guilty of violating this section.
- e. Exceptions. The following shall constitute valid exceptions to this section:
 - 1. Possession of firearms, components of firearms, and ammunition or explosives by law enforcement officers;
 - 2. Law enforcement agencies receiving shipments or delivery of firearms, components of firearms, ammunition, or explosives;
 - 3. Law enforcement agencies conducting firearm or ammunition safety and training programs, donation, amnesty, or any other similar programs in County buildings;
 - 4. Compliance by persons subject to protection from abuse court orders;
 - 5. Carrying firearms and ammunition by persons who hold a valid license pursuant to either §1441 or §1441A of Title 11 of the Delaware Code so long as the firearm remains concealed except for inadvertent display or for self-defense or defense of others;

- 6. Carrying firearms and ammunition by officers or employees of the United States duly authorized to carry a concealed firearm; or**
- 7. Carrying firearms and ammunition by agents, messengers and other employees of common carriers, banks, or business firms, whose duties require them to protect moneys, valuables and other property and are engaged in the lawful execution of such duties.”**

Section 2. Effective Date. This Ordinance shall become effective upon approval.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2529 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF OCTOBER 2017.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**