

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

PUBLIC SAFETY &
JUSTICE COMMITTEE
INITIATED BY



JEROME A. LONG
DRAFTED BY

SEPTEMBER 28, 2011
DATE DRAFTED

NICHOLAS OSBORNE
SUBMITTED BY

A RESOLUTION BANNING THE CARRYING OF FIREARMS AND CONCEALED WEAPONS IN COUNTY BUILDINGS AND VEHICLES

1 **WHEREAS**, the Wisconsin legislature has approved and the Wisconsin governor has signed a law
2 permitting qualified Wisconsin residents to carry concealed weapons; and,
3

4 **WHEREAS**, allowable "weapons" include handguns, electronic weapons (TASERS), billy clubs and
5 knives other than switchblades; and,
6

7 **WHEREAS**, Sections 943.13(1m)(c)(4) and 175.60 Wis. Stats., permit local governments that are
8 owners, occupiers, or otherwise in control of buildings, to prohibit the carrying of firearms and concealed
9 weapons in or on such buildings; and,
10

11 **WHEREAS**, Section 175.60 (15m)(a) permits an employer to prohibit the carrying of concealed weapons
12 during the course of employment; and,
13

14 **WHEREAS**, the County of Rock is the owner, lessee or is otherwise in control of numerous buildings
15 throughout Rock County.
16

17 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly assembled
18 this 13th day of October, 2011 that pursuant to Section 943.13(1m)(c)(4), the County of Rock
19 hereby prohibits the carrying of firearms and concealed weapons of any type in any building owned,
20 occupied or controlled by Rock County, by any person other than an authorized law enforcement officer;
21 except the buildings located at 3728 South Oakhill Avenue, and 2713 Eagle Road, Janesville,
22 Wisconsin, when those buildings are utilized as private residences; and,
23

24 **BE IT FURTHER RESOLVED** that the display or exhibition of firearms and the placing of firearms in
25 connection with a duly authorized gun show at the Rock County 4H Fairgrounds or their removal there
26 from shall not constitute the open carrying of firearms within the meaning of this resolution; and,
27

28 **BE IT FURTHER RESOLVED** that all future leases of Rock County owned buildings or parts thereof
29 shall require that, as a condition of such lease, the lessee shall, in a manner consistent with this resolution
30 and state law, prohibit the carrying of firearms and concealed weapons, except for authorized law
31 enforcement officers. This resolution shall not apply to any buildings owned by Rock County comprising
32 the UW-Rock County campus; and,
33

34 **BE IT FURTHER RESOLVED** that the carrying of firearms and concealed weapons in any building or
35 part thereof leased by Rock County is hereby prohibited, except for authorized law enforcement officers;
36 and,
37

38 **BE IT FURTHER RESOLVED** that the Rock County General Services Department shall place signs in
39 proper number and in conformity with Section 943.13(2)(bm) no later than November 1, 2011.
40

41 **BE IT FURTHER RESOLVED** that, pursuant to Section 175.60 (15m)(a), the carrying of concealed
42 weapons by any Rock County employee during the course of employment, except by authorized law
43 enforcement officers, is hereby prohibited, except as provided by Section 175.60(15m)(b); and,
44

45 **BE IT FURTHER RESOLVED**, that the carrying, possessing or storing of any weapon in County
46 owned vehicles is prohibited except as follows:

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47 a) This resolution shall not apply to authorized law enforcement officers.

48
49 b) This resolution shall not apply to vehicles operated by the Rock County Sheriff's Office
50 under such regulations as the Rock County Sheriff shall deem appropriate; and,
51

52 **BE IT FURTHER RESOLVED**, that an employee who violates this Resolution shall be subject to
53 discipline up to and including discharge.
54

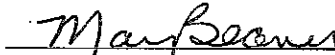
55 **BE IT FURTHER RESOLVED** that the Human Resources Director shall take such steps as to provide
56 reasonable notice of this action to all employees no later than November 1, 2011.

Respectfully submitted:

PUBLIC SAFETY & JUSTICE COMMITTEE


Ivan Collins, Chair


Larry Wiedenfeld, Vice Chair

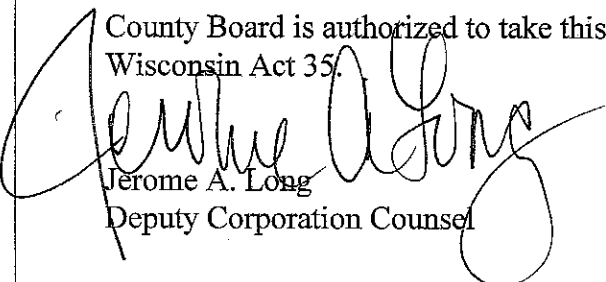

Mary Beaver


Hank Brill


Brian Knudson

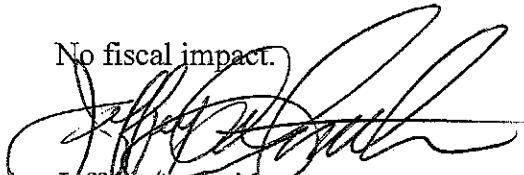
LEGAL NOTE:

County Board is authorized to take this action pursuant to § 59.01 and 59.51, Wis. Stats., and by 2011 Wisconsin Act 35.


Jerome A. Long
Deputy Corporation Counsel

FISCAL NOTE:

No fiscal impact.


Jeffrey A. Smith
Finance Director

ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

EXECUTIVE SUMMARY

On July 8, 2011 Governor Walker signed Wisconsin Act 35 into law and it is effective November 1, 2011. This concealed carry legislation has many implications for Rock County employees, many of whom interact with the general public on a daily basis.

In the proposed resolution, Rock County would prohibit the ability to carry firearms and concealed weapons, defined as handguns, electronic weapons, billy clubs, and knives other than switchblades¹, in any building used for County operations or in any County owned vehicle. Authorized law enforcement officers would be exempt from the building and vehicle restriction. To implement this policy, Rock County would be required to post signs at each building entrance clearly stating that firearms and concealed weapons are not allowed.

Places Exempt by State Law

With the exception of authorized law enforcement personnel, people may not carry firearms and concealed weapons in the following buildings:

The Rock County Sheriff's Office
 The Rock County Jail
 The Rock County Courthouse

While not required to do so by law, Rock County intends to post signs at the entrances of the above-mentioned buildings. This will eliminate confusion among those unfamiliar with the law. Should the County choose to do nothing, firearms and concealed weapons would be allowed in all other County buildings.

Items for Special Consideration

Property Leased to an Outside Party

As new leases are signed, and existing leases expire, Rock County intends to insert language into the agreements prohibiting firearms and concealed weapons in the buildings or parts thereof leased to these private parties. This applies to small groups that lease building space for events at places such as the Rock County Fairgrounds and the airport. The private residences leased to individuals at Gibbs Lake and on the airport property will be exempt from this requirement.

Parks

In a provision that specifically affects county parks, Rock County may only restrict firearms and concealed weapons in buildings. It may not prohibit them from an entire park, parking lots, green spaces, or open areas surrounding buildings.

¹ Switchblades are illegal under current law

Special Events at the Southern Wisconsin Regional Airport and Fairgrounds

The new lease agreement language would dictate that firearms and concealed weapons be restricted from buildings. However, during certain “special events” lessees are also eligible to prohibit firearms and concealed weapons from open areas **and** buildings. To qualify, an event must last for a duration of not more than three weeks, and either have designated entrances to and from the event that are locked when the event is closed or the event must charge admission. This provision would allow organizers to restrict firearms and concealed weapons from all areas during events such as AirFEST and The Rock County 4-H Fair.

Gun Shows at Fairgrounds

Gun shows are held periodically at the Craig Center on the Rock County Fairgrounds property. To ensure that gun shows can still occur, the display or exhibition of firearms during these events shall not constitute the open carrying of firearms.

University of Wisconsin- Rock County

Rock County Corporation Counsel has opined that University of Wisconsin- Rock County should be treated as a lessee. The University of Wisconsin system has created a policy that prohibits firearms and concealed weapons from all buildings.