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ORDINANCE 704

AN ORDINANCE ESTABLISHING PROHIBITIONS AGAINST THE POSSESSION OR CARRYING OF CERTAIN FIREARMS WHILE UPON DESIGNATED PROPERTY OWNED AND OPERATED BY THE CITY OF WASHINGTON, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS.

Section 1. As used in this ordinance, the term “firearm” shall mean any handgun, pistol, or revolver.

Section 2. Pursuant to the Personal and Family Protection Act, Chapter 32 of the 2006 Session Laws of Kansas, as amended by Chapter 210 of the 2006 Session Laws of Kansas, it shall be unlawful to carry a concealed firearm into:

- 1) Any place where an activity declared common nuisance by K.S.A. 22-3901, and any amendments thereto, is maintained;
- 2) Any police sheriff or highway patrol station;
- 3) Any detention facility, prison or jail;
- 4) Any courthouse;
- 5) Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in the judge’s courtroom;
- 6) Any polling place on the day an election is held;
- 7) Any meeting of the governing body of a county, city or other political or taxing subdivision of the state, or any committee or subcommittee thereof;
- 8) On the state fairgrounds;
- 9) Any state office building;
- 10) Any athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institution of post secondary education;
- 11) Any professional athletic event not related to or involving firearms;
- 12) Any portion of a drinking establishment as defined by K.S.A. 41-2601, and amendments theret, except that this provision shall not apply to a restaurant as defined by K.S.A. 41-2601, and amendments thereto;
- 13) Any elementary or secondary school building or structure used for student instruction or attendance, attendance center, administrative office, services center or other facility;
- 14) Any community college, college or university facility;
- 15) Any place where the carrying of firearms is prohibited by federal or state law;
- 16) Any child exchange and visitation center provided for in K.S.A. 75-720, and amendments thereto;

- 17) Any community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; mental health clinic organized pursuant to K.S.A. 65-211 et seq., and amendments thereto; psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or state psychiatric hospital, as follows: 'Larned State Hospital, Osawatomie State Hospital, or Rainbow Mental Health Facility'
- 18) Any city hall;
- 19) Any public library operated by the state or by a political subdivision of the state;
- 20) Any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or child care center, as defined in Kansas administrative regulation 28-4-420;
- 21) Any church or temple; or
- 22) Any place in violation of K.S.A. 21-4218, and amendments thereto.

Section 3. Violation of Section 2 of this ordinance is a Class A violation.

Section 4. Pursuant to the authority granted to property owners and to the owners or operators of businesses under the Personal and Family Protection Act, Chapter 32 of the 2006 Session Laws of Kansas, as amended by Chapter 210 of the 2006 Session Laws of Kansas, the governing body of the City of Washington, Kansas, hereby prohibits the carrying of any concealed firearm by any person other than those identified in Section 4 below while in or upon the premises of any of the following properties which are owned by the City of Washington, Kansas, and/or on which the City is operating as a public employer:

- 1) The Washington City Hall located at 301 C Street, Washington, Kansas;
- 2) The Washington Fire and EMS Station located at 900 D Street, Washington, Kansas;
- 3) The "old" Washington City Hall located at 110 C Street, Washington, Kansas;
- 4) The Friendly Corners Facility located at 100 B Street, Washington, Kansas;
- 5) The Cedar Hills Golf Course located at 1344 Quivira Road, Washington, Kansas;
- 6) Any City Park, Playground, Swimming Pool and Ball Park within the City of Washington, Kansas;
- 7) The City Light Plant, Water Treatment Facility, Shop, Fair Buildings and Fairgrounds within the City of Washington, Kansas.

Section 5. Violations of Section 4 of this ordinance is a Class B violation.

Section 6. The prohibitions set forth in Sections 2 and 4 above shall apply both to the interiors of the structures on all such properties and to the exterior areas; provided, however, that the prohibitions shall not apply to persons who are otherwise lawfully in possession of any such firearm while in a motor vehicle which is located in an area designated for public vehicular traffic or for public vehicular parking.

Section 7. The prohibitions set forth in Sections 2 and 4 above shall not apply to any person identified under the exclusions set forth in subsections (b) or (c) of K.S.A. 21-4201 regarding the criminal use of weapons, as said provisions now apply or may hereafter be amended.

Section 8. This ordinance shall take effect and be in force from and after its publication in the official newspaper of said City.

PASSED AND ADOPTED this 5th day of February, 2007.

SEAL

/s/ Travis L. Kier, Mayor

/s/ Denise M. Powell, City Clerk