

ORDINANCE O-1-14

Code of the Town of Cheverly

An Ordinance whereby the Mayor and Council outline that no weapons may be brought into any Town parks or municipal buildings, providing for warning signs, forbidding firearms at demonstrations and parades and makes violation of such a misdemeanor.

WHEREAS, Article VII, Section C-23A(14) of the Charter of the Town of Cheverly grants to the Mayor and Town Council the power to protect the common good; and

WHEREAS, the Mayor and Town Council deem it appropriate to amend the Town Code to forbid dangerous or deadly weapons to be brought into any Town buildings and to disallow them at demonstrations and parades in the Town; and

WHEREAS, State law in the Criminal Law Article at Article 4 contains prohibitions as to dangerous weapons and firearms which the Town Council wishes to acknowledge as the governing law of Maryland.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council, in regular session assembled, that Sections 20-4 and 20-22 of the Cheverly Code be repealed and reenacted with amendments as follows:

Sec. 20-4. - Dangerous weapons generally. and restrictions on possession of firearms in certain places.

The provisions of article 27 of the Annotated Code of Maryland concerning weapons shall be applicable in the Town of Cheverly. In addition, it shall be unlawful within the town for any unauthorized person to wear or carry on or about his/her person any pistol, revolver, dirk knife, bowie knife, slingshot, billy, blackjack, sand club, sword cane, metal knuckles, razor, rifle (unless broken down or properly cased) or shotgun (unless broken down or properly cased) or BB gun (unless broken down or properly cased), or any other dangerous or deadly weapon of any kind whatsoever (except penknives) provided that any knife having a blade of more than two and one-half (2½) inches in length shall be considered a dangerous weapon within the meaning of this section.

- THE PROVISIONS CONCERNING WEAPONS IN TITLE 4 OF THE CRIMINAL LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND SHALL BE APPLICABLE IN THE TOWN OF CHEVERLY.**
- FOR THE PROTECTION OF THE PUBLIC, IT SHALL BE UNLAWFUL FOR ANY PERSON OTHER THAN A DULY AUTHORIZED LAW ENFORCEMENT OFFICER AS ALLOWED IN THE STATE CODE, TO POSSESS, WEAR OR CARRY ON OR ABOUT HIS/HER PERSON ANY HANDGUN, RIFLE OR SHOTGUN, FIREARM OR OTHER DANGEROUS OR DEADLY WEAPON IN ANY PARK, BUILDING OR PART OF A BUILDING OWNED, LEASED, OCCUPIED, MANAGED OR CONTROLLED BY THE TOWN OF CHEVERLY, WHETHER OR NOT IT IS OPEN TO THE PUBLIC. THE TOWN ADMINISTRATOR SHALL CAUSE ALL APPROPRIATE SIGNS TO BE POSTED AT ALL ENTRANCES TO ANY BUILDING OR PORTIONS OF A BUILDING OWNED, LEASED, OCCUPIED, MANAGED OR CONTROLLED BY THE TOWN OF CHEVERLY, PROVIDING NOTICE THAT NO PERSON IS TO ENTER OR REMAIN IN ANY SUCH AREA WHILE POSSESSING A FIREARM OR OTHER WEAPON. SUCH SIGNS SHALL BE FIVE (5) INCHES BY SEVEN (7) INCHES OR LARGER AND SHALL BE POSTED IN A PROMINENT PLACE SO AS TO BE VISIBLE PRIOR TO ENTERING THE BUILDING. THE TOWN ADMINISTRATOR SHALL EXERCISE DISCRETION IN DETERMINING THE NECESSITY AND APPROPRIATE LOCATION FOR OTHER SIGNS POSTED IN THE INTERIOR OF THE BUILDING.**
- IT SHALL BE UNLAWFUL FOR ANY PERSON TO HAVE IN HIS/HER POSSESSION OR HAVE ON OR ABOUT HIS/HER PERSON ANY FIREARM IN ANY PUBLIC PLACE WHERE THERE IS A DEMONSTRATION OR A PARADE, IF THE PERSON HAS BEEN ADVISED BY A LAW ENFORCEMENT OFFICER THAT A DEMONSTRATION OR PARADE IS OCCURRING AND THE**

PERSON HAS BEEN ORDERED TO LEAVE THE AREA. (SEE SECTION 4-208 OF THE CRIMINAL LAW ARTICLE OF THE MARYLAND CODE.)

(Ord. No. 14-77, 10-13-77)

* * *

Sec. 20-22. - Violations and penalties.

- **UNLESS OTHERWISE PROVIDED, Any person who shall violate any provisions of this chapter or shall fail to comply with its requirements shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than ten dollars (\$10.00) nor more than four hundred dollars (\$400.00) for each offense. Upon failure to pay such fine, the offender may be imprisoned for a period not exceeding thirty (30) days. Any person who commits the same offense under this chapter more than once within a two-year period and is found guilty of those offenses may be imprisoned for the subsequent offense for a period not exceeding thirty (30) days.**
- **ANY PERSON FOUND IN VIOLATION OF SEC. 20-4 FOR WEARING OR CARRYING A FIREARM OR OTHER DANGEROUS OR DEADLY WEAPON SHALL BE GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) AND/OR SIX (6) MONTHS IMPRISONMENT.**

(Ord. No. 14-77, 10-13-77; Ord. No. O-10-94, 8-11-94)

Charter reference—Authority to establish fines, penalties and punishments for breach of town ordinances, § C-23A(28).

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect thirty (30) days from the date of its adoption; provided, however that a fair summary of the Ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on November 14, 2013, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on January 8, 2014, at which meeting copies were available to the public for inspection.

