

ORDINANCE NO. 2020-02-03

Ordinance Adopting Security Restrictions at Courthouse

The Board of Commissioners of Warren County (the "Commissioners") have determined that certain restrictions on possession of firearms and other weapons in buildings housing courts would be beneficial to the maintenance of the security of the facilities, the health, safety, and welfare of persons employed at and using the facilities;

WHEREAS, The Commissioners have determined that certain spaces within the Courthouse shall be deemed as private to ensure the functioning the specific office as well as the privacy of specific data housed therein;

AND FURTHER HAVE DETERMINED, that the secure, orderly, and lawful functioning public meetings would be enhanced by certain restrictions on firearms and other weapons at public meetings conducted by the county and its various boards, committees and other entities,

NOW, THEREFORE, BE IT ORDAINED that:

SECTION 1 DEFINITIONS

In this Ordinance:

1. The term "Public Meeting" is defined by I.C. 5-14-1.5-2(c).
2. The term Courthouse shall mean the Warren County Courthouse located at 125 N. Monroe Street, Williamsport, Indiana 47993.
3. The term "firearm" is defined as I.C. 35-47-1-5.
4. The term "other weapon" means a weapon other than a firearm, including
 - a. a "deadly weapon" (other than firearms) as defined by I.C. 35-31.5-2-86
 - b. an "Electric Stun Gun" as defined by I.C. 35-47-8-1;
 - c. a "Stun Gun" as defined by I.C. 35-47-8-2;
 - d. a "Taser" as defined by I.C. 35-47-8-3;
 - e. a knife, box-cutter, switchblade, baton, club or similar weapon;
 - f. a "bomb" as defined by I.C. 35-31.5-3-31, including fireworks, black powder, and those items listed in subparagraph (b) therein;
 - g. "body armor" as defined by I.C. 35-47-5-13(a); or
 - h. Any other object or device used in a manner, or likely to be used, or intended to be used, or readily capable of causing serious bodily injury as defined by I.C. 35-31.5-2-292, as determined by the Warren County Sheriff, or deputies, or by persons employed by the county as security personnel.
5. The term "public area" is an area designated to be accessible by all in the general public.
6. The term "private area" is an area designated to be accessible only by a Warren County Elected Official and/or Warren County Employees in the course of performance of their official duties.
7. The term "elected official" is an individual that is duly elected by the citizens of the Warren County for a county office position.

8. The term "Warren County Employee Handbook" shall mean the Warren County Employees' Personnel Policy Manual, passed by both the Warren County Commissioners and Warren County Council in May 2014 and as updated from time to time.

SECTION 2 FIREARMS RESTRICTIONS

Except as expressly provided in Section 3 of this Ordinance, Firearms and Other Weapons are subject to the following restrictions:

1. Possession of a firearm or any other weapons in the Courthouse is strictly prohibited.
2. The intentional display of a firearm or any other weapon at any Public Meeting is prohibited.

SECTION 3 EXCEPTIONS

The following persons are exempt from the restrictions set forth in Section 2 above;

1. Law enforcement officers under I.C. 35-31.5-2-185;
2. Judicial officer, as defined in I.C. 35-31.5-2-177.7;
3. A probation officer appointed pursuant to I.C. 11-13-1-1 who has satisfied all of the conditions listed in I.C. 11-13-1-3.5 and is authorized by the officer's supervision judge to possess each items restricted by this Ordinance;
4. An employee of a locally or regionally operated Community Corrections Program, who is authorized to carry a firearm by his or her supervisor; and
5. Any other person authorized by the Warren Circuit Court Judge or Warren County Sheriff.

SECTION 4 PRIVATE AREAS OF COURTHOUSE

1. Specific areas of the Courthouse shall be designated as "Private Areas" and shall not be accessed by the general public. Each Elected Official, having an office inside the Warren County Courthouse, or their designee, shall determine the Private Area(s) within their own office and shall post the location of the private area for all to see.
2. Should a member of the general public attempt to access a Private Area, the office's Elected Official, or their designee, shall cause the offending person to be removed from the Private Area. If the offending person should refuse to leave the Private Area when ordered to do so, interfere with the employees or functions of the Elected Official's office, or otherwise commit disorderly conduct as defined in I.C. 35-45-1-3, the offending person may be removed from the courthouse by the Warren County Sheriff or his deputy.

SECTION 5 PENALTIES AND CONFISCATION OF FIREARMS AND OTHER WEAPONS

Any person who knowingly or intentionally violates either Section 2 or Section 4 of this Ordinance shall be subject to a fine not to exceed _____. Any person in violation of Section 2 or Section 4 shall also be subject to having the Firearm or Other Weapon confiscated by appropriate law enforcement personnel.

SECTION 6 OVERRIDING SECTION OF WARREN COUNTY EMPLOYEE HANDBOOK

The Warren County Commissioners and Warren County Council have created the Warren County Employee Handbook and contained therein is a provision that states that it is an "infraction of the rules of conduct that may result in disciplinary action, up to and including termination of employment...the possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace..." The Warren County Commissioners, with the passage of this ordinance, wish to override the excerpted provision of the Warren County Employee Handbook, and permit such employees to possess firearms on the first and second floors of the Warren County Courthouse, but only to the extent permitted by Sections 2 and 3 above.

SECTION 7 COURTHOUSE SECURITY COMMITTEE

There shall be created a Courthouse Security Committee ("Committee") which will be responsible for reviewing Warren County's facilities and assessing the security needs and available resources for implementing those security needs. This Committee shall include the Sheriff, the Judge(s), one (1) representative of the Warren County Commissioners, one (1) representative of the Warren County Council, the Prosecutor, the Clerk, the Auditor, the Treasurer, the Assessor, and one (1) representative of the Police Department/Fire Department/EMS covering the Town of Williamsport. The Committee shall be chaired by the Sheriff and shall convene meetings at his/her election but, at minimum, at least annually.

SECTION 8 SIGNAGE

Notice of this Ordinance shall be posed at all entrances, on every floor and at any other location deemed necessary by the Warren County Commissioners and/or Warren County Sheriff.

SECTION 9 SECURITY OFFICER

There shall be at least one (1) Courthouse Security Officer present in the Courthouse during normal business hours.

SECTION 10 SEVERABILITY

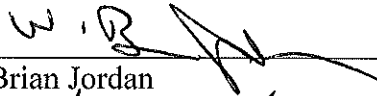
Each section, subsection, sentence, clause and phrase of this Ordinance is intended to be, and is hereby declared, to be an independent component, and therefore the findings or holding that any part is void, unconstitutional, unlawful, or otherwise ineffective for any cause shall not affect any other part of this Ordinance.

SECTION 11 EFFECTIVE DATE

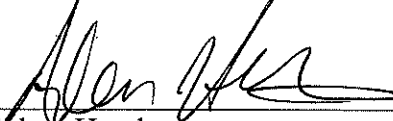
All Ordinances or portions thereof in conflict with this Ordinance are hereby repealed. This Ordinance shall take effect upon passage, after publication as required by law.

PASSED THIS 3rd DAY OF February, 2020.

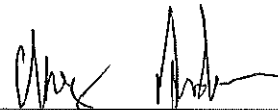
WARREN COUNTY COMMISSIONERS



Brian Jordan




Adam Hanthorne



Clay Andrews

ATTEST:



Robin Weston-Hubner, Auditor