



Office of the
BOARD OF SELECTMEN
272 Main Street Townsend, Massachusetts 01469

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BOARD OF SELECTMEN

POLICY #06-2019- Dangerous Weapons in Municipal Buildings

Purpose: The Townsend Board of Selectmen recognizes that dangerous weapons in municipal buildings present a threat to the safety, wellbeing and health of both the public that accesses those buildings and the employees that work in those buildings. As the Board is committed to providing a safe and secure environment for its employees, the Townsend community and the public at large, this policy on the ability to carry dangerous weapons applies to all municipal buildings of the Town. Whereas those municipal buildings are within the care, custody and control of the Board and whereas the Board has both the authority, under the General Laws, e.g. G.L. c. 40, § 3, and the responsibility to protect the safety, wellbeing and health of individuals who make use of those municipal buildings, the Board finds that reasonably regulating dangerous weapons in Town buildings for the protection of the public is a compelling Town government interest and, therefore, a carefully considered and narrowly tailored policy concerning dangerous weapons in municipal buildings that balances the rights of firearms owners and public safety is warranted and in the best interests of the community the Board is elected to serve.

Policy:

PROHIBITION ON WEAPONS IN MUNICIPAL BUILDINGS:

To the fullest extent permitted by law, no person may possess a weapon, ammunition, explosive or other items which may be considered dangerous and/or are designed to cause death or serious bodily injury within any municipal building and no person shall enter a municipal building when he or she knowingly possesses or knowingly has under his or her control such a weapon, ammunition or explosive (concealed or otherwise), whether or not possession of such item is permitted under a License to Carry (LTC) or a Firearm Identification Card (FID), or other license or permit. "Weapon," "ammunition" and "explosive" as used in this section mean any weapon, ammunition or explosive as defined in G.L. c. 140, § 121 et seq. and G.L. c. 148, includes any other item such as, but not limited to, knives, razors, etc., designed to cause death or serious bodily injury. The Town shall clearly mark those buildings where these items are prohibited and shall post notices at each entrance to the building. This policy does not apply to municipal roads or ways, municipal spaces, municipal land, parking areas, or other Town property beyond the enclosed areas of municipal buildings.

EXCEPTIONS:

Unless a person is otherwise prohibited or restricted by law to possess a dangerous weapon, this policy does not apply to:

- (1) licensed police officers, firefighters or military personnel who are performing official duties;
- (2) persons who carry a weapon, ammunition or explosive according to the terms of a permit issued under G.L. c. 140 or G.L. c. 148 and who so notifies the Police Chief and/or Fire Chief and who, upon entering the place or facility, directly and promptly proceeds to the person in charge of the facility or the person in charge's designee and obtains written permission to possess the item while on the premises or checks that item in a manner deemed appropriate by the Police Chief and/or Fire Chief;
- (3) persons who possess such items for the purpose of display, evidence or exhibition who gives notice to and are in compliance with any advance notice and safety guidelines set by the Police Chief and/or Fire Chief;
- (4) security personnel while engaged in official duties related to the municipal building; or
- (5) municipal facilities staff who possess the usual and customary tools of their trade.

ENFORCEMENT:

A person found in violation may check their weapon, in a manner deemed appropriate by the Police Chief, and may reclaim the weapon upon leaving, or must immediately and directly depart from the building. A person attempting to enter a public building with a concealed weapon may be prohibited from entry.

In addition to any other action, violations of this policy may result in referrals to external law enforcement agencies and non-compliance may also result in arrest if those law enforcement agencies determine a criminal violation has occurred.

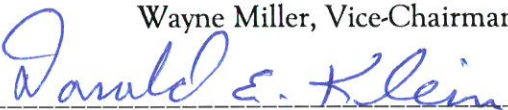
Nothing in this policy shall permit or suggest that a security officer or police authority has the right to stop and search an individual within a Town building based upon this policy.

This policy may also be enforced in accordance with G.L. c. 40, § 21D.

TOWNSEND BOARD OF SELECTMEN


Sue Lisio, Chairman


Wayne Miller, Vice-Chairman


Don Klein, Clerk

Filed with the Town Clerk: 10/9/2019

VOTED: 9/17/19, 2019
EFFECTIVE: _____, 2019

Acknowledgement of Receipt of Policy

I acknowledge receipt of Policy 06-2019 Dangerous Weapons in Municipal Buildings. Having read said policy, I understand and agree to its terms.

Name (Print)

Signature

Date

