

Ordinance 11-07-11-01
An Ordinance Amending Section 42-42 of the Village of Fontana Municipal Code
Regarding firearms in public buildings.

The Board of Trustees for the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

Section 1. Section 42-42 shall be amended to read as follows:

Sec. 42-42. Dangerous weapons and firearms.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous weapon means any device, excluding firearms, designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

Firearm means any firearm, whether loaded or unloaded, including a spring or air gun.

(b) *Carrying prohibited.* ~~No person, except a peace officer, shall be armed with a concealed or unconcealed and dangerous weapon within the village limits. No person except a peace officer shall carry a firearm on any property owned by the village.~~ Firearms in Public Buildings.

(1) Pursuant to Wis. Stats. 943.13(1 m)(c)4., no person shall enter or remain in any part of a building owned, occupied or controlled by the State or local governmental unit if the State or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or specific type of firearm.

(2) The Village Administrator shall cause signage to be erected at all entrances to all buildings owned, occupied or under the control of the Village of Fontana providing notice that no person is to enter or remain in any such building while carrying a firearm. Such signs shall be five inches by seven inches or larger.

(3) Nothing in the subsection shall be construed to apply to prohibit a peace officer or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building. Notwithstanding Wis. Stats. 939.22(22), for purpose of this paragraph, peace officer does not include a commission warden who is not a State certified commission warden.

(4) Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. 941.23 or 941.235.

(c) *Certain knives prohibited.* No person shall sell, offer to sell, transport, purchase, possess or go armed with any knife having a blade which opens by pressing a button, spring or other device in the handle, or by gravity, or by a thrust or movement, within the village limits.

(d) *Discharging limited.* No person, except a peace officer, shall fire or discharge any firearm, rifle, dangerous weapon, spring or air gun within the village limits nor in the territory adjacent to the village, in such a manner that the discharge shall enter or fall within the village limits.

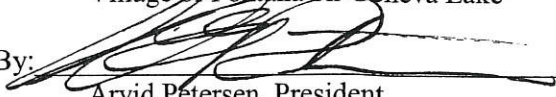
(e) *Exceptions.* ~~The provisions of subsection (b) shall not apply to any firearm, rifle, spring or air gun in a person's possession or under their control if it is unloaded and knocked down or enclosed within a carrying case or other suitable container.~~ An exception exists for persons hunting with a permit from the village and in compliance with the ordinances of the village.

Section 2. **Effective Date:** This ordinance shall be in full force and effect upon its passage approval, and publication as required by law.

Passed and Adopted by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 7th day of November, 2011.

Village of Fontana on Geneva Lake

By:


Arvid Petersen, President

Attest:


Dennis L. Martin, Clerk