

*ADOPTION OF AN AMENDMENT TO ARTICLE 2,
SECTION 6-2-1 OF CHAPTER 6 (WEAPONS)
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA*

At a regular meeting of the Board of Supervisors of Fairfax, County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, September 15, 2020, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Chapter 6 (Weapons) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to wit:

*BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY,
VIRGINIA:*

That Chapter 6 (Weapons) is amended as follows:

**AN ORDINANCE AMENDING
CHAPTER 6 OF THE FAIRFAX COUNTY CODE, RELATING TO
WEAPONS**

As Adopted on September 16, 2020¹

AN ORDINANCE to amend the Fairfax County Code by amending and reenacting Article 2, Section 6-2-1, relating to firearms in Fairfax County government facilities and other public areas.

Be it ordained by the Board of Supervisors of Fairfax County:

- 1. That Article 2 and Section 6-2-1 of the Fairfax County Code are amended and reenacted as follows:**

Article 2 – ~~Reserved.~~ Firearms in County government facilities and other public areas.

Section 6-2-1 – ~~Reserved.~~ Firearms, ammunition, or components or combination thereof prohibited in certain areas.

A. The possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof is prohibited in the following areas:

1. In any building, or part thereof, owned or used by the County, or by any authority or local government entity created or controlled by the County, for governmental purposes.
2. In any public park owned or operated by the County, or by any authority or local government entity created or controlled by the County.
3. In any recreation or community center facility operated by the County, or by any authority or local government entity created or controlled by the County.
4. In any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a County-permitted event or an event that would otherwise require a County permit. For the purposes of this Section, County-permitted event and event that would otherwise require a County permit include events permitted by an authority or local government entity created or controlled by the County in whole or in part.

The Board meeting date was September 15, 2020, but the meeting ran past midnight and the Board did not vote to adopt the ordinance until September 16, 2020.¹

5. In buildings not owned by the County, or by any authority or local government entity created or controlled by the County, this Section shall apply only to the part of the building used for a governmental purpose and when such building, or part thereof, is being used for a governmental purpose.
 6. In parks located in the County that are owned or operated by a park authority that was created or is controlled by the County in conjunction with one or more other localities, provided that all participating localities enact an ordinance containing a prohibition substantially similar to that imposed by Paragraph A(2) above and the governing body of the park authority passes a resolution or other measure agreeing to the application of each such ordinance within the parks located in each such locality.
- B. Pursuant to this Section, the County may implement security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.
- C. The provisions of this Section shall not apply to the following:
1. The activities of (i) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of 10 U.S.C. § 2101 et seq., or (ii) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities shall follow strict guidelines developed by such institutions for these activities and shall be conducted under the supervision of staff officials of such institutions.
 2. Sworn law enforcement personnel.

3. Security personnel hired as employees or contracted by the County, or an authority or other local government entity created or controlled by the County in whole or in part, when such personnel are present and working in any building or other location set forth in Paragraph A and who are authorized to carry firearms as part of their duties.
4. The activities of educational programs and events, including static displays and historical reenactments, conducted or permitted by the County or any authority or local government entity created or controlled by the County, when such educational programs and events involve the use or display of firearms that are not loaded with projectiles.
5. The activities of the County's Deer Management Program and other wildlife management events conducted by the County, by any authority or local government entity created or controlled by the County in whole or in part, by the Commonwealth of Virginia, or by the federal government.
6. The Bull Run Public Shooting Center.
7. Individuals who are authorized to carry a concealed firearm pursuant to the Law Enforcement Officers Safety Act, 18 U.S.C. §§ 926B and 926C, as amended.
8. Active duty military personnel acting within the scope of their official duties.
9. The possession and carrying of weapons in the courthouse shall be governed by the provisions of Va. Code § 18.2-283.1, as amended.
10. An otherwise lawfully possessed firearm, ammunition, components or combination thereof that is stored out of sight in a locked private motor vehicle that is lawfully parked on County property or a public street.
11. Private security officers licensed by the Virginia Department of Criminal Justice Services providing security for a County-permitted event.

D. Notice of ordinance.

1. Notice of this ordinance shall be posted (i) at all entrances of any building, or part thereof, owned or used by the County, or by any authority or local governmental entity created or controlled by the County, for governmental purposes; (ii) at all entrances of any public

park owned or operated by the County, or by any authority or local governmental entity created or controlled by the County; (iii) at all entrances of any recreation or community center facilities operated by the County, or by any authority or local governmental entity created or controlled by the County; and (iv) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

2. Notice of this ordinance shall be posted at all entrances of any public park owned or operated by a park authority that was created or is controlled by the County in conjunction with one or more other localities, provided that all participating localities have enacted an ordinance containing a prohibition substantially similar to that imposed by Paragraph A(2) above and the governing body of the park authority has passed a resolution or other measure agreeing to the application of each such ordinance within the parks located in each such locality.

E. Violations of Section 6-2-1 (A) shall constitute a Class 1 misdemeanor.

2. **That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.**
3. **That the provisions of this ordinance shall take effect upon adoption.**

GIVEN under my hand this 16th day of September, 2020.

Jill G. Cooper
Clerk for the Board of Supervisors