

ORDINANCE NO. 10-10-11-A

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
HAMILTON COUNTY AMENDING SECTION 35-47-4-4 OF THE
HAMILTON COUNTY CODE OF ORDINANCES

WITNESS THAT:

WHEREAS, Section 35-47-4-4, entitled “Deadly Weapons”, was originally adopted when the Hamilton County Code was codified in 1992; and,

WHEREAS, Section 35-47-4-4 (b) prevents persons from possessing deadly weapons in the “County government and judicial center, the county courthouse, and/or on county property immediately surrounding the government and judicial center or the courthouse”; and,

WHEREAS, the State of Indiana passed a new law codified at I.C. 35-47-11.1 *et seq* which stripped political subdivisions of the power to regulate the ownership, possession, and transportation of firearms except in limited situations and voided all ordinances, rules or policies inconsistent with this new chapter of the Indiana Code; and,

WHEREAS, in order to conform to the new state law, it is in the best interest of the citizens of Hamilton County and the employees of Hamilton County that Section 35-47-4-4 of the Hamilton County Code be amended.

IT IS THEREBY ORDAINED by the Board of Commissioners of Hamilton County as follows:

1. Chapter 4- Public Property, Section 35-47-4-4- Deadly Weapons of the Hamilton County Code is amended as follows:
 - A. Section 35-47-4-4 (b) *Possession prohibited*.
 1. No person shall possess a deadly weapon in the Hamilton County Government and Judicial Center.
 2. On those occasions when a Circuit or Superior Court judge is presiding in the historic courtroom located in the county courthouse, 33 North 9th St., Noblesville, IN, no person shall possess a deadly weapon in the county courthouse while court is in session.
 - B. Section 35-47-4-4 (c) *Searches and seizure*.
 1. A person who enters the Hamilton County Government and Judicial Center consents to a search of his/her person, possessions or files by metal detector or other reasonable means.
 2. On those occasions when a Circuit or Superior Court judge is presiding in the historic courtroom located in the county courthouse, 33 North 9th St., Noblesville, IN, a person who enters the county courthouse consents to a search of his/her person, possessions or files by metal detector or other reasonable means when court is in session.

The prior codified version of paragraphs b and c in Section 35-47-4-4 are repealed and replaced with the amended version above.

3. All other provisions of Section 35-47-4-4 remain in full force and effect.
4. This ordinance shall be effective upon passage and publication as allowed by law. The Auditor is directed to have these new provisions codified in the online Hamilton County Code of Ordinances as soon as possible.

ALL OF WHICH IS ORDAINED by the Board of Commissioners of Hamilton County this 10th day of October, 2011.

BOARD OF COMMISSIONERS OF
HAMILTON COUNTY

Christine Altman
Steven C. Dillinger
Steven A. Holt

ATTEST:
Dawn Coverdale, Auditor