

ORDINANCE 3234

AN ORDINANCE AMENDING TITLE 9, CHAPTER 8, ARTICLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO WEAPONS

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WHEREAS, the City of Great Falls is authorized by its Charter and Montana law to establish laws to protect the health, safety and welfare of the citizens of Great Falls; and

WHEREAS, the City Commission has in the exercise of those powers previously established Title 9, Chapter 8, Article 10 of the OCCGF pertaining to the possession of weapons; and

WHEREAS, both (1) the passage of Legislative Referendum 130 in November of 2020 and (2) the enactment of legislation by the 2021 Legislature have restricted the authority of local governments to regulate the possession of firearms; and

WHEREAS, the current structure of OCCGF Title 9, Chapter 8, Article 10 is not consistent with those new statutory changes; and

WHEREAS, the City Commission wishes to amend Title 9, Chapter 8, Article 10 of the OCCGF to be consistent with those new statutory changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. The provisions of OCCGF Title 9, Chapter 8, Article 10 are hereby amended as depicted by Exhibit "A" attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading December 7, 2021.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading and public hearing December 21, 2021.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3234 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Chapter 8 WEAPONS

Sections:

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9.8.020 Prohibiting and suppressing the possession of weapons.

A. The carrying of unpermitted concealed weapons or the carrying of unconcealed weapons to a publicly owned and occupied building under the City's jurisdiction (MCA 45-2-101(76)), and as such statute may hereafter be amended) to, on, or at a public assembly, publicly owned building, park under City jurisdiction, or school is hereby prohibited.

B. Exceptions are as otherwise provided by MCA 45-8-351(2)(b) which allows for display of firearms at shows or other public occasions by collectors and others, and MCA 45-8-317 which states what persons are allowed to carry weapons, and as such statutes may hereafter be amended. The law enforcement facilities owned and operated by the City are secure areas and the carrying of any weapon (permitted concealed, unpermitted concealed or unconcealed) in those facilities is hereby prohibited.

C. Screening for weapons at City buildings is permissible and the City Manager may determine the circumstances where screening is required and may establish standards for such screening. The City may, in its discretion of its employees or officials acting in their official capacity, deny entrance to a City building by a person who is in violation of Subsections (A) or (B) above. The City may require a person to present proof of a valid permit to carry a concealed weapon in a City building, and a refusal to provide proof of a valid permit to carry a concealed weapon is a basis for denying entrance to the City building with the concealed weapon.

D. The provisions of subsections (A) and (B) do not apply to:

1. Any peace officer of the State of Montana;
2. Any officer of the United States government authorized to carry a concealed weapon;
3. Any member of the armed services or reserve forces of the United States or National Guard, while in the performance of their official duties;
4. A probation or parole officer authorized to carry a firearm under § 46-23-1002;
5. An agent of the Montana Department of Justice;
6. A person authorized by the Chief of Police to carry or possess an unconcealed firearm on City property;

Ordinance 3234 Exhibit "A"

Title 9 – PUBLIC PEACE, MORALS AND WELFARE

7. Persons authorized by the City Manager for trainings, education courses, or other events such as gun shows that are approved to occur in City facilities.

(Ord 3234, 2021; Ord. 3158, 2017; Ord. 2732, 1997).