

ORDINANCE NO. 02-16

**AN ORDINANCE OF THE CITY OF SNOOK REPEALING
ORDINANCE NO. 05 – 96; PROVIDING FOR THE
REGULATION OF FIREARMS AND OTHER WEAPONS;
PROVIDING AUTHORIZATION FOR PROPERLY
LICENSED CONCEALED CARRYING OF HANDGUNS BY
EMPLOYEES OF THE CITY OF SNOOK; PROVIDING
FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE
DATE.**

- WHEREAS,** the City Council of the City of Snook adopted Ordinance No. 05 – 96 on May 20, 1996 prohibiting, with certain exceptions, the possession of handguns and other weapons on premises owned by the City of Snook or by employees of the City of Snook while on duty; and
- WHEREAS,** Chapter 411 of the Texas Government Code sets forth a process whereby an eligible citizen of Texas may apply for, and receive, a state-issued license to carry a handgun; and
- WHEREAS,** certain employees of the City of Snook have applied for (or will apply for in the future), and received (or will receive in the future), a state-issued license to carry a handgun; and
- WHEREAS,** Chapter 411 of the Texas Government Code allows public employers to prohibit or permit persons licensed under state law to carry handguns on the premises of the employer; and
- WHEREAS,** the City Council of the City of Snook, in recognition of the authority of the State of Texas to issue licenses to citizens for the purposes of carrying a handgun in public, and in further recognition of a City of Snook employee's right to obtain said license and to carry on their person a handgun not otherwise prohibited by state or federal law, does now hereby desire to amend the City's regulations governing the possession and carrying by City of Snook employees of handgun in the workplace; and
- WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt ordinances and regulations that are for the good government, peace or order of the City and are necessary or proper for carrying out a police power granted by law to the City; and
- WHEREAS,** the City Council of the City of Snook finds and determines that it is in the best interest of the safety and security of its employees to allow concealed carry of handguns by employees who are licensed under Subchapter H, Chapter 411, of

the Texas Government Code, and the City Council further finds that allowing concealed carry of handguns by employees who are licensed under Subchapter H, Chapter 411, of the Texas Government Code is necessary and appropriate in order to protect the health, safety and welfare of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNOOK, TEXAS THAT:

I.

Ordinance No. 05 – 96, adopted by the City Council of the City of Snook on May 20, 1996, is hereby repealed in its entirety.

II.

(a) Subject to subsection (b) herein below, no City of Snook employee, other than a licensed peace officer of the City or other law enforcement agency, may: 1) carry or possess a firearm or other weapon on City premises, including, without limitation, buildings, entrances, exits, break areas, parking lots, surrounding areas and parks; or 2) carry or possess a firearm or weapon while on duty or at any time while engaging in City-related business. Except as otherwise provided by Subsection (b), this prohibition includes keeping or transporting a weapon in any City-owned or leased vehicle or in a personal vehicle in a City-provided parking area. Prohibited weapons include but are not limited to firearms, clubs, explosive devices, illegal knives (including but not limited to knives with blades exceeding 5 and ½ inches), knuckles, and additional weapons as further defined by Texas Penal Code Section 46.01.

(b) Pursuant and subject to Subchapter G, Chapter 52 of the Texas Labor Code, a City employee who holds a valid license to carry a handgun under Subchapter H, Chapter 411, Texas Government Code, or who otherwise lawfully possesses a firearm, may possess said firearm or ammunition, or store said firearm or ammunition, in a locked, privately-owned vehicle in a City parking lot, parking garage or other parking area provided by the City. Additionally, an employee who holds a valid handgun license under Subchapter H, Chapter 411, Texas Government Code may carry a handgun on their person in a concealed manner on City property, and in a City vehicle, so long as the carrying of said handgun is done in compliance with all applicable federal and state laws. If the employee's handgun is not being carried on the employee's person while at work, the handgun must be stored in an authorized locked, secured area. Other than a licensed peace officer of the City of Snook, open carry of a handgun by City employees is strictly prohibited on City premises or in the course of the employee performing any job duties for the City of Snook.

(c) All employees of the City that choose to carry a concealed handgun at work are required to present a valid handgun carry license to the Mayor of the City, and the City shall maintain a photocopy of the employee's current license in the employee's personnel file. An employee that chooses to carry a concealed handgun at the workplace shall keep a valid license

to carry a handgun on their person at all times while carrying a handgun on City premises or in the course of the employee performing any job duties for the City of Snook.

III. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication as may be required by law.

VI. PROPER NOTICE & MEETING

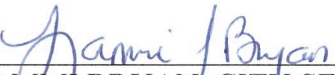
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED this 22nd day of February, 2016.



HON. JOHN SEE, III, MAYOR
CITY OF SNOOK, TEXAS

ATTEST:



TAMMI BRYAN, CITY SECRETARY
CITY OF SNOOK, TEXAS