



## Legislation Text

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**File #:** 110469, **Version:** 1

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### 110469 SUBSTITUTE 1

#### ALDs. COGGS AND WADE

Substitute resolution relating to the posting of signs prohibiting the carrying, possession or control of firearms and other dangerous weapons upon or within buildings and structures under the control of the City.

This resolution directs the Commissioner of the Department of Public Works (DPW) to post signs prohibiting the carrying of firearms and other dangerous weapons upon or within buildings and structures owned or leased by the City.

2011 Wisconsin Act 35 provides that the City may prohibit carrying of firearms upon or within buildings owned by, occupied by or under the control of the City if notice is given prohibiting firearms. Notice may be given by posting a sign that is at least 5 inches by 7 inches and is located in a prominent place near all of the entrances to the part of the building to which the restriction applies, and where any individual entering can be reasonably expected to see the sign.

Posting of signs is necessary for the enforcement of s. 105-34-1-c of the Milwaukee Code of Ordinances prohibiting the carrying of firearms in City buildings.

Whereas, Violence with the use of firearms and other dangerous weapons continues to cause substantial pain, suffering and anguish within the Milwaukee community; and

Whereas, The presence of firearms and other dangerous weapons in places where residents and members of the public engage in City business and public discourse promotes an atmosphere of fear and potential confrontation and creates a risk of harm, injury or death by unintended as well as intended misuse; and

Whereas, 2011 Wisconsin Act 35 provides that any person who enters or remains in any part of a building that is owned, occupied or controlled by a local governmental unit while carrying a firearm shall be subject to a Class B forfeiture of up to \$1,000 if the person has been notified not to enter or remain in the building while carrying a firearm; and

Whereas, Notification that firearms are prohibited may be provided by a sign stating the restriction that is at least 5 inches by 7 inches; and

Whereas, Section 105-34-1-c of the Milwaukee Code of Ordinances provides that it is unlawful for any person other than an officer, agent or employee of this or any other state or the United States, the organized militia of this or any other state, or a law enforcement officer to carry a firearm in any building owned or leased by any political subdivision within the city; and

Whereas, Section 105-34-1-a of the Milwaukee Code of Ordinances provides that it is unlawful for

any person other than a peace officer to go armed with a concealed and dangerous weapon other than a firearm within the City; and

Whereas, The Common Council seeks to implement and enforce the provisions of state law and local ordinances with respect to prohibiting firearms on and within City buildings; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of Public Works shall prepare and post signs as provided by 2011 Wisconsin Act 35 prohibiting firearms and, at the commissioner's discretion, other dangerous weapons upon or within City buildings or such portions of buildings as are occupied or under the control of the City and to locate these signs in prominent places near all of the entrances to the part of the building to which the restriction applies, and where individuals entering can be reasonably expected to see the signs.

LRB131977-2  
Richard L. Withers  
8/30/2011