

**AN ORDINANCE TO  
AMEND SECTION 46-35 OF THE KING WILLIAM COUNTY CODE,  
“DANGEROUS DEVICES”**

**WHEREAS**, the Board of Supervisors of King William County, Virginia has received a request to amend and update Chapter 46 (Parks and Recreation) of the King William County Code to be consistent with § 15.2-915 of the Code of Virginia, as amended; and

**WHEREAS**, the request is specifically to amend Section 46-35, Dangerous Devices; and

**WHEREAS**, after receiving public comment, the Board believes it appropriate to amend said County Code Section 46-35;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this \_\_\_\_ day of \_\_\_\_\_, 2012, amend and reenact Section 46-35 of the King William County Code to read as follows:

**Section 46-35. Dangerous Devices**

No person other than any law enforcement officer, emergency service person, or county employed security guard in the course of their respective employment shall have in his possession in any park any slingshot, bow and arrow, crossbow, dart device, boomerang, fireworks, or any other device for high speed missile projection, except in areas designated by the county and with the written permission of the county.

The possession, carrying, storage or transporting of pneumatic guns or firearms and ammunition or components or combination thereof is permitted. No person other than any law enforcement officer, emergency service person, or county employed security guard in the course of their respective employment shall discharge in any park any firearm or other gun, including an air-powered or gas-powered gun except in areas designated by the county and with the written permission of the director. Violators of this section, upon conviction, shall be guilty of a Class 4 misdemeanor.

\_\_\_\_\_  
C. Thomas Redd III  
Chairman, Board of Supervisors

Those members voting:

S. K. Greenwood \_\_\_\_\_  
T. J. Moskalski \_\_\_\_\_  
T. S. Stone \_\_\_\_\_  
O. O. Williams \_\_\_\_\_  
C. T. Redd III \_\_\_\_\_

Adopted this \_\_\_\_\_ of \_\_\_\_\_, 2012

Copy Teste:

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Trenton L. Funkhouser  
County Administrator

**PROPOSED AMENDMENT  
KING WILLIAM COUNTY CODE  
ORDINANCE #12-01  
SECTION 46-35  
DANGEROUS DEVICES**

**Section 46-35. Dangerous Devices**

No person other than any law enforcement officer, emergency service person, or county employed security guard in the course of their respective employment shall have in his possession in any park any ~~firearm or other gun, including an air-powered or gas-powered gun~~, slingshot, bow and arrow, crossbow, dart device, boomerang, fireworks, or any other device for high speed missile projection, except in areas designated by the county and with the written permission of the director.

*(Ord. of 3-26-1992, § 9-74)*

*The possession, carrying, storage or transporting of pneumatic guns or firearms and ammunition or components or combination thereof is permitted. No person other than any law enforcement officer, emergency service person, or county employed security guard in the course of their respective employment shall discharge in any park any firearm or other gun, including an air-powered or gas-powered gun except in areas designated by the county and with the written permission of the director. Violators of this section, upon conviction, shall be guilty of a Class 4 misdemeanor.*

NOTE: The following portion of the Code of Virginia is provided for reference only.

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

A. No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101 from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail or juvenile detention facility.

B. Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

(1987, c. 629, § 15.1-29.15; 1988, c. 392; 1997, cc. 550, 587; 2002, c. 484; 2003, c. 943; 2004, cc. 837, 923; 2009, cc. 735, 772.)