

Motion was made by Christopher Waddle, seconded Donald J. Nichols, III, that the following ordinance be passed:

ORDINANCE NO. 11082021-2

AN ORDINANCE BY THE TOWN OF WOODLOCH, TEXAS; TO BECOME A SECOND AMENDMENT SANCTUARY FOR THOSE CARRYING WITH A TEXAS LICENSE TO CARRY ("LTC") OR OTHER RECOGNIZED LICENSE OR PERMIT IN PLACES GOVERNED BY THE GENERAL TRESPASS STATUTE; CONCEALED HANDGUNS WILL BE PROHIBITED WITHIN MUNICIPAL PREMISES DURING OFFICIAL COUNCIL OR COURT PROCEEDINGS; PROVIDING DEFINITIONS; PROHIBITING FIREARMS AND OTHER WEAPONS IN OFFICIAL POLITICAL MEETINGS; PROVIDING EXCEPTIONS THERETO; PROVIDING A FINE IN ACORDANCE WITH CORESPONDING TEXAS PENAL CODE VIOLATION; PROVIDING A SEVERABILITY CLAUSE; REPEALING ORDINANCE 2013-006 AND ALL CONFLICTING ORDINANCES; AND PROVIDJNG FOR EFFECTIVE DATE AFTER PUBLICATION.

WHEREAS, the Town Council of the Town of Woodloch believes that it is in the best interest of its residents, in conjunction with the Second Amendment, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed, that the carrying of concealed handguns be allowed anywhere that signage is not present provided by Subsection H, Chapter 411, Texas Government Code; and

WHEREAS, the Town Council further believes that it is in the best interest of its residents that anyone possessing or carrying A firearm be a Licensed Permit holder, as provided in Subchapter H, Chapter 411, Government Code;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WOODLOCH, TEXAS THAT:

Section 1.

Unlicensed Possession of a Concealed Handguns in Municipal Premises.

- a. In this section:
 - (1) "City premises:" means any building or part of a building owned, leased or rented by the city, while being used for official proceedings.
 - (2) Peace officer means those officers identified under Article 2.12 of the Texas Code of Criminal Procedure.
- b. No person other than a peace officer may carry a concealed handgun within City premises Without possessing a Texas License to Carry ("LTC").
pursuant to Subchapter H, Chapter 411, Texas Government Code.
- c. Signs in both English and Spanish giving notice of the ban imposed in this section shall be prominently posted in all City premises. The sign must appear in contrasting colors with block letters at least one (1) inch in height bearing the statement:

**"PURSUANT TO SECTION 30.06, PENAL CODE
(TRESPASS BY HOLDER OF LICENSE TO CARRY A
CONCEALED HANDGUN), A PERSON LICENSED UNDER
SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE
(CONCEALED HANDGUN LAW), MAY NOT ENTER THIS
PROPERTY WITH A CONCEALED HANDGUN."**

- d. Any peace officer or other municipal authority may require a person in violation of the code established by this section to leave City premises. Failure to immediately leave the premises shall be considered a trespass and shall subject the person to any applicable penalty of Law.

Section 2.

Firearms restricted in City Official Political Meetings.

- a. In this section
 - (1). "City" when used in this section means all that land and facilities in which official meetings would be scheduled to take place.
 - (2). "Firearms" when used in this section means any devices designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any devices readily convertible to that use.
- b. The carrying of firearms, air rifles, bows, slingshots, or other weapons of any type in a city official political meeting, are expressly prohibited.
- c. Exceptions to the prohibition in Section 2(b) are:
 - (1) Peace officers who are engaged in the lawful discharge of their duties.
 - (2) The presiding chair person or Judge of said official meeting.
- d. Signs in both English and Spanish giving notice of the ban shall be prominently posted where any official city meetings are to be held. The sign must appear in contrasting colors with block letters at least one (1) inch in height bearing the statement:

**"PURSUANT TO SECTION 30.06, PENAL CODE
(TRESPASS BY HOLDER OF LICENSE TO CARRY A
CONCEALED HANDGUN), A PERSON LICENSED UNDER
SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE
(CONCEALED HANDGUN LAW), MAY NOT ENTER THIS
PROPERTY WITH A CONCEALED HANDGUN."**

- e. Any person who violates this section shall be punished with a fine in accordance with Subsection H, Chapter 411, Texas Government Code

Section 3.

Severability Clause

That the Town Council of the Town of Woodloch, Texas, does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event it would have passed and ordained any and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares its intent is to make no portion of this Ordinance dependent upon the validity of any other portion thereof, and that all said remaining portions shall continue in full force and effect.

Section 4.
Repealing Conflicting Ordinances

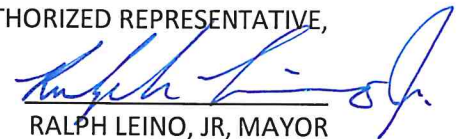
That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance, are hereby expressly repealed.

Section 5.
Effective Date

That this Ordinance and each section hereof shall take effect and be in full force from and after its passage and publication by the City Secretary.

PASSED AND APPROVED this the 8th day of November, 2021.

AUTHORIZED REPRESENTATIVE,


RALPH LEINO, JR, MAYOR

ATTEST,


CARMEN LOOR, City Secretary

APPROVED:

GILBERT GROUP, City Attorney