

TOWN OF HERNDON, VIRGINIA

ORDINANCE

September 28, 2021

**Ordinance—** to amend Chapter 46 (OFFENSES), Article II (Firearms, Crossbows, and Pneumatic Guns), to amend definitions and to create a new Section 46-60 (Possession of Firearms on Town Property), to prohibit the possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof in Town buildings or in certain other areas owned by the Town.

**Whereas,** the Town Council desires to adopt legislation to prevent the possession, carrying, or transportation of any firearms, ammunition or components or combination thereof in town buildings; and

**Whereas,** the Town Council desires to provide security measures to protect the people and places where the legislative and statutory decisions of the town are made; and

**Whereas,** the Town Council authorizes and directs the Town Manager to take immediate and necessary steps to implement security measures to affect these desires and protect the public officials, citizens, staff and others from the effects of firearms in these places, therefore,

**BE IT ORDAINED** by the Town Council for the Town of Herndon, Virginia that:

- Chapter 46 (OFFENSES), Herndon Town Code (2000), is amended as follows:

**CHAPTER 46 – OFFENSES**

**ARTICLE II. – FIREARMS, CROSSBOWS, AND PNEUMATIC GUNS**

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Sec. 46-56. Definitions

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***Ammunition*** means a cartridge, pellet, ball, missile or projectile adapted for use in a firearm.

***Statutory Decision-Making Body*** means any of the following: Town Council (Herndon Town Charter 3.1), Planning Commission (Code of Virginia 15.2-2210), Board of Zoning Appeals (Code of Virginia 15.2-2308), Architectural Review Board (Herndon Town Charter 7.4:1), Historic District Review Board (Code of Virginia 15.2-2306)

***Town Building*** means any building, or part thereof, owned or used by the Town, or any authority or local government entity created or controlled by the Town, for a governmental purpose.

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***Sec. 46-60. Possession of Firearms on Town Property***

(a) *Firearms, ammunition, or components or combination thereof prohibited in certain areas:*

(1) *The possession, carrying, or transportation of any firearms, ammunition, or components or combination thereof is prohibited in the following Town buildings:*

- *Herndon Council Chambers – 765 Lynn Street*
- *Herndon Municipal Center - 777 Lynn Street*
- *Old Town Hall - 730 Elden Street*
- *Herndon Community Center - 814 Ferndale Avenue*
- *Herndon Golf Course Club House - 909 Ferndale Avenue*
- *Herndon Golf Course Maintenance Facility - 909 Ferndale Avenue*
- *Public Works Town Shop - 1479 Sterling Road*
- *Public Works Operations/Water and Sewer - 1481 Sterling Road*
- *Herndon Police Department - 397 Herndon Parkway*
- *Cemetery Offices - 831 Dranesville Road*
- *Cemetery Maintenance Shop - 831 Dranesville Road*

(2) *Pursuant to this Section, the Town Manager is authorized to implement security measures in accordance with the legislative intent reflected in Ordinance 21-O-10 and that are designed to reasonably prevent the unauthorized access of Herndon Council Chambers, town buildings being used for meetings of statutory decision-making bodies of the town or any other identified town building, by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.*

(3) *The provisions of this Section shall not apply to the following:*

- a. *The activities of (i) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher*

75 education in accordance with the provisions of 10 U.S.C. § 2101 et  
76 seq., or (ii) any intercollegiate athletics program operated by a  
77 public or private institution of higher education and governed by  
78 the National Collegiate Athletic Association or any club sports team  
79 recognized by a public or private institution of higher education  
80 where the sport engaged in by such program or team involves the  
81 use of a firearm. Such activities shall follow strict guidelines  
82 developed by such institutions for these activities and shall be  
83 conducted under the supervision of staff officials of such  
84 institutions.

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86 b. Sworn law enforcement personnel.

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88 c. Security personnel hired as employees or contracted by the town,  
89 when such personnel are present and working in any building or  
90 other location set forth in Paragraph (1) and who are authorized to  
91 carry firearms as part of their duties.

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93 d. The possession and carrying of weapons in a town building  
94 operating as a courthouse shall be governed by the provisions of Va.  
95 Code Sec. 18.2-283.1, as amended.

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97 (4) Notice of ordinance.

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99 a. Notice of this ordinance shall be posted at all entrances to

- 100 • Herndon Council Chambers - 765 Lynn Street
- 101 • Herndon Municipal Center - 777 Lynn Street
- 102 • Old Town Hall - 730 Elden Street
- 103 • Herndon Community Center - 814 Ferndale Avenue
- 104 • Herndon Golf Course Club House - 909 Ferndale Avenue
- 105 • Herndon Golf Course Maintenance Facility - 909 Ferndale
- 106 Avenue
- 107 • Public Works Town Shop - 1479 Sterling Road
- 108 • Public Works Operations/Water and Sewer - 1481 Sterling
- 109 Road
- 110 • Herndon Police Department - 397 Herndon Parkway
- 111 • Cemetery Offices - 831 Dranesville Road
- 112 • Cemetery Maintenance Shop - 831 Dranesville Road

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114 (5) Violation of this section (46-60) shall constitute a class 1 misdemeanor.

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117 This ordinance shall be effective on and after January 1, 2022.