

**City of Oconomowoc**  
**Protection & Welfare Committee**  
Aldermen: Schellpeper, Chairman / Ellis, Secy / Douglas



**Tuesday, May 03, 2022 - 5:45 PM**  
**City Hall - Council Chambers**  
**174 E. Wisconsin Ave. Oconomowoc, WI 53066**  
***(or immediately following Finance)***

**Notice:** If a person with a disability requires that the meeting be accessible or that materials at the meeting be in accessible format, call the City Clerk at least 48 hours prior to the meeting to request adequate accommodations. Tel: (262) 569-2186.

1. Call to order and confirmation of appropriate meeting notification
2. Committee Business
  - a. Consider/recommend Ordinance 22-O1033 Repealing Section 9.02 (2)(b) of the City of Oconomowoc Municipal Code Regarding Conceal Carry in City Buildings
3. Adjourn

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Diane Coenen, City Clerk  
City of Oconomowoc

Notice is hereby given that a majority of the Common Council will be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the Common Council pursuant to State ex rel. Badke v. Greendale Village Board, 173Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the Common Council will not take any formal action at this meeting.



# MEMORANDUM

## PUBLIC WORKS

Date: May 3, 2022  
To: Mayor, Protection and Welfare Committee and Common Council  
From: Mark Frye, City Administrator/Director of Public Works  
Re: Consider/act on Ordinance 22-O1033 to Repeal Section 9.02 (2)(b) of the City of Oconomowoc Municipal Code Regarding Concealed Carry in Public Buildings.

## RELATES TO THE STRATEGIC PLAN

Strategic Plan:

Section V: Enhance the Effectiveness of Our City Government

Objective A: Develop/Update/Maintain City Ordinances/Policies

Task 1: City Ordinances Update/Review

## BACKGROUND

An Aldermanic request was made to repeal section 9.02 (2)(b) shown below.

9.02 - DISCHARGING AND CARRYING WEAPONS. (Rep. & recr. #10-O776)

(1) PROHIBITED. (Am. #11-O809) No person, except an authorized police officer, shall discharge any firearm, spring gun or air gun within the City. This prohibition shall not apply to a shotgun, muzzle loader, bow, crossbow, or other like weapons or instruments, air rifle, pellet gun, or like instruments, provided the use thereof complies with the requirements of subsections (4)(a) through (c) below.

(2) PERMITTED. (Am. #11-O809; Am. #14-O856; Am. #16-O892) Any person may possess, openly or concealed, carry or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm or facsimile firearm, on any public street, sidewalk, boulevard, boardwalk, alley, public parking lot, or park if he or she complies with this section or the Wisconsin Statutes and Administrative Code sections specifically adopted under this section, with the exception of the following:

(a) May not openly possess a weapon, knife or firearm within any public building owned by the City, which is similar to §941.235, Wis. Stats. (Am. #16-O892)

(b) May not conceal carry a weapon, knife or firearm within any public building owned by the City, which is similar to §941.235, Wis. Stats. (Am. #16-O892)

The repeal of this section would allow those who are legally permitted to conceal carry a weapon, knife or firearm within any public building owned by the City of Oconomowoc. This does not include the Library or Police Department.

## ADDITIONAL ANALYSIS

We researched the same municipalities as we did for terms of the elected officials to see if they allowed for concealed carry in Public Buildings. As noted in the list shown below, we were able to determine by an internet search of their ordinances that 17 do not allow for concealed carry in Public Buildings, two allow it and we couldn't find wording in the ordinances of the remaining 13.

<b>Municipality</b>	<b>Ordinance to allow conceal carry in Public Building</b>
Berlin	Didn't see any documentation regarding firearms
Brookfield	No concealed carry in City Buildings
Delafield	No concealed carry in City Buildings
De Pere	No concealed carry in City Buildings
Fitchburg	No concealed carry in City Buildings
Franklin	Didn't see any documentation regarding firearms
Greenfield	Didn't see any documentation regarding firearms
Green Lake	No concealed carry in City Buildings
Jefferson	No concealed carry in City Buildings
Kenosha	No concealed carry in City Buildings
Kewaunee	Didn't see any documentation regarding firearms
Manitowoc	Didn't see any documentation regarding firearms
Marshfield	No concealed carry in City Buildings
Medford	Didn't see any documentation regarding firearms
Mequon	Didn't see any documentation regarding firearms
Monona	No concealed carry in City Buildings
New Berlin	No concealed carry in City Buildings
Oak Creek	No concealed carry in City Buildings
Pewaukee	Didn't see any documentation regarding firearms
Reedsburg	Didn't see any documentation regarding firearms
Richland Center	Didn't see any documentation regarding firearms
Sparta	No concealed carry in City Buildings
Stoughton	No concealed carry in City Buildings
Sturgeon Bay	No concealed carry in City Buildings
Sun Prairie	Didn't see any documentation regarding firearms
Superior	No concealed carry in City Buildings
Tomah	Didn't see any documentation regarding firearms
Waterloo	No concealed carry in City Buildings

Watertown	No concealed carry in City Buildings
Waukesha	Yes
West Bend	Yes, except Council meetings, court and Police Department
Wisconsin Dells	Didn't see any documentation regarding firearms

A discussion with the Department Heads indicated that eight of the nine were neutral on the topic. Some did ask about allowing employees to conceal carry but that is not part of this item for discussion and recommendation.

**FINANCIAL IMPACT**

N/A

**RECOMMENDATION**

N/A

**SUGGESTED MOTION**

**If in Favor of the change: Suggested Common Council Motion:** Motion to adopt Ordinance 22-O1033 to repeal Section 9.02 (2)(b) of the Municipal Code concerning the conceal carry of a weapon, knife or firearm within any public building owned by the City of Oconomowoc.

**If Not in Favor: No action necessary.**

ORDINANCE NO. 22-O1033

**ORDINANCE TO REPEAL SECTION 9.02 (2)(b) OF THE CITY OF OCONOMOWOC MUNICIPAL CODE CONCERNING CONCEALED CARRY OF A WEAPON, KNIFE OR FIREARM WITHIN ANY PUBLIC BUILDING OWNED BY THE CITY**

WHEREAS, the Protection and Welfare Committee recommends repealing the probation to conceal carry a weapon, knife or firearm within any public building owned by the City; and

WHEREAS, section 9.02 (2)(B) of the Municipal code needs to be repealed for this change; and

WHEREAS, the Common Council hereby intends to adopt the recommendations of the Protection and Welfare Committee in this regard.

NOW THEREFORE, the Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, does hereby ordain as follows:

SECTION 1: Chapter 9.02 (2)(B), of the City of Oconomowoc Municipal Code, is hereby amended as follows:

9.02 - DISCHARGING AND CARRYING WEAPONS. (Rep. & recr. #10-O776)

(1) PROHIBITED. (Am. #11-O809) No person, except an authorized police officer, shall discharge any firearm, spring gun or air gun within the City. This prohibition shall not apply to a shotgun, muzzle loader, bow, crossbow, or other like weapons or instruments, air rifle, pellet gun, or like instruments, provided the use thereof complies with the requirements of subsections (4)(a) through (c) below.

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SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

DATED: \_\_\_\_\_

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
Robert P. Magnus, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, City Clerk

Published and/or posted this \_\_\_\_ day of \_\_\_\_\_, 2022.