

# EMPLOYEE POSSESSION OF FIREARMS FOR XENIA TOWNSHIP

## PURPOSE

To set policy and procedures governing possession, transportation, storage, or use of firearms on Xenia Township property, in Xenia Township vehicles, or in private vehicles located on Xenia Township property or used in the conduct of Xenia Township business or activity. Violation of this policy may result in disciplinary action up to and including termination as well as reporting violations of the law to the appropriate legal authority.

## 1. DEFINITIONS

- A. A firearm** is any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm that is inoperable but that can readily be rendered operable.
- B. Xenia Township Vehicle** includes any vehicle or motorized equipment owned, rented or leased by Xenia Township.
- C. Xenia Township Property** includes any equipment, motorized equipment, trailers, motor vehicles, buildings, parts of buildings, sheds, lockers, facilities, or any other physical assets, or any land which Xenia Township owns, rents, leases, or has any real estate rights, interest, or estate. Xenia Township property includes any physical asset owned, rented or leased by the Xenia Township, whether or not it happens to be assigned to an employee for their use (e.g., motor vehicles, lockers).
- D. Private Vehicle** includes any vehicle owned, rented, or leased by a Xenia Township employee, a Xenia Township contractor employee, or a member of the general public, which is used primarily for personal use (e.g., getting to and from work) and which is situated on Xenia Township property (or a Xenia Township work site) for any reason whatsoever. Also includes any contractor-owned or -leased commercial vehicles or motorized equipment situated on Xenia Township property (or a Xenia Township work site) for any reason whatsoever.
- E. Official Duties** refers to those activities carried out whenever an employee or contractor is at the assigned Xenia Township building, or is in a travel status and actively performing work.

## 2. POLICY

**A. Xenia Township** employees, contractors, and the general public are strictly prohibited from possessing firearms, ammunition for any caliber firearm, explosives or weapons on the premises of the Township without the explicit advance authorization of the Xenia Township Board of Trustees, regardless of whether a federal or state license to possess the same has been issued to the possessor. A sign to this affect will be posted on the outside of each Xenia Township Building. This policy applies:

1. While on official Xenia Township duty or on Xenia Township property
2. In Xenia Township vehicles

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- B. Excluded from this policy** are commissioned law enforcement officers to the extent they are legally permitted to possess weapons in the jurisdiction of Xenia Township, and, upon written request, employees specifically authorized by resolution of the Xenia Township Board of Trustees. Those employees shall be duly licensed and legally permitted to carry concealed weapons in the State of Ohio and shall provide satisfactory evidence of current licensure and training in their written request for exemption from this policy to the Board of Trustees.
- C. The possession, transportation, storage, or use** of firearms by employees who are duly licensed concealed handgun licensees in privately owned vehicles will be permitted *only* under the following conditions
1. Each firearm and all of the ammunition must remain in the employee's privately owned motor vehicle while the employee is physically present inside the motor vehicle;
  2. If the employee is not physically present inside the motor vehicle, each firearm and all ammunition must be locked within the trunk, glove box, or other enclosed compartment or container within the employee's personally owned vehicle.
  3. The employee's motor vehicle must be parked in a place that it is otherwise permitted to be.

Pursuant to Ohio Revised Code § 2923.1210(B), employees who are duly licensed concealed handgun licensees who choose to store their firearms in their privately owned vehicles are notified that Xenia Township shall not be liable in any civil action for damages, injuries or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored pursuant to this policy, including theft of the firearm from the vehicle.

- D. Exceptions.** Any and all exceptions to the above policy shall be on a case-by-case basis. Any exception must be specifically authorized in writing by the Xenia Township Board of Trustees.

### **4 PROCEDURES FOR EXCEPTIONS**

- A. Employee** submits a written request to the Xenia Township Administrator. In the case of an exception requested by the Xenia Township Administrator or a member of the Board of Trustees, they shall submit their written request to the Board of Trustees. The written request shall fully describe the underlying circumstances and rationale for the exception, and shall include satisfactory proof of current concealed handgun licensure and training as well as any further training the Xenia Township Board of Trustees may deem appropriate.
- B. Xenia Township Administrator** reviews the request for an exception submitted by an employee and determines whether it complies with the intent of this policy. Assures that the employee understands any and all conditions affecting the exception. The Xenia Township Administrator shall make a recommendation for approval or denial to the Board of Trustees. The Board of Trustees shall issue a final decision on a case by case basis, and if approved, a resolution allowing the exception.