

Chapter 222

FIREARMS AND OTHER WEAPONS

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[HISTORY: Adopted by the Common Council of the City of Hayward as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Use and Possession

[Adopted 6-3-1963 by Ord. No. 119]

§ 222-1. Discharging and carrying firearms and guns; hunting.

No person, except a sheriff, constable, police officer or their deputies, shall fire or discharge any firearm, rifle, spring or air gun of any description within the City of Hayward, or have any firearm, rifle, spring or air gun in his possession or under his control unless it is unloaded and knocked down or enclosed within a carrying case or other suitable container, provided that this section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries authorized by the City Council, or the firing or discharging of BB guns upon private premises by persons over 16 years of age or under the direct personal supervision of a parent or guardian. This section shall be deemed to prohibit hunting within the City, provided that the Chief of Police may issue written permits to owners or occupants of private premises to hunt or shoot on such premises if he finds such privileges necessary for the protection of life or property and subject to such safeguards as he may impose for the safety and the life and property of other persons within the City of Hayward.

§ 222-2. Throwing or shooting of arrows, stones and other missiles; shooting galleries for arrows. [Amended 8-20-2007 by Ord. No. 472]

No person shall throw, shoot or swing any object, arrow, stone, snowball, or other missile or projectile, by hand or by any other means, at any other person or at, in, or into any building, street, sidewalk, alley, highway, park, playground, or other public place within the City of Hayward unless a conditional use permit has been granted to/for a parcel of property for the purpose of shooting arrows.

§ 222-3. Violations and penalties.

Any person who shall violate any provision of this article shall upon conviction thereof, forfeit not less than \$1, nor more than \$100, together with the cost of prosecution, and in default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the county jail until such forfeiture and costs are paid but not exceeding 15 days. Any person found guilty of violating this article who shall have previously been convicted of a violation of the same article shall, upon conviction thereof, forfeit not less than \$10, nor more than \$200, for each such offense, together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs of such prosecution are paid, but not to exceed 90 days. Whenever any persons fail to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the City of Hayward, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

ARTICLE II

Handguns

[Adopted 11-8-1982 by Ord. No. 229]

§ 222-4. Definitions.

As used in this article, the following terms shall have the meanings indicated:

HANDGUN — Any weapon designed or redesigned or made or remade and intended to be fired while held in one hand and to use the energy of an explosive to expel a projectile through a smooth or rifled bore.

§ 222-5. Possession of handguns in certain public places.

It is hereby deemed unlawful for any individual to carry, transport or to bring any handgun as herein defined, upon any premises within which the sale and/or consumption of alcoholic beverages takes place or within any store in which groceries or other edibles are sold, within the City of Hayward.

§ 222-6. Exceptions.

The following shall be exceptions to the provisions of § 222-5:

- A. This article shall not apply to any person who keeps or carries any handgun upon premises owned by said person or to any duly authorized employee of said person;
- B. This article shall not apply to any person who brings a handgun upon the premises in which handguns are sold, traded or serviced; provided, said handgun is brought upon the premises for purposes related to the sale, trade or servicing of said handgun;
- C. This article shall not apply to peace officers, members of the armed forces or military personnel who go armed in the line of duty or to any person duly authorized by the Sheriff or Chief of Police to possess a firearm in any premises described in § 222-5.

§ 222-7. Citation procedure.

Pursuant to § 66.0113, Wis. Stats., the citation procedure as set forth therein is hereby adopted for enforcement of this article.

§ 222-8. Violations and penalties.

Whoever is found to be in violation of this article shall, upon conviction, be subject to a forfeiture in an amount of not less than \$25 nor more than \$500, together with the costs of prosecution thereof.

ARTICLE III**Carrying Weapons in City Buildings
[Adopted 11-14-2011 by Ord. No. 509]****§ 222-9. Adoption of statute.**

The City of Hayward hereby adopts Senate Bill 93 in its entirety.

§ 222-10. Concealed weapons in City buildings.

The carrying of concealed and/or open carrying of weapons in all City-owned buildings is strictly prohibited.

§ 222-11. Violations and penalties.

- A. Violations shall result in the following forfeitures:
 - (1) First offense: \$100, plus applicable court costs plus actual costs of prosecution.
 - (2) Second offense: \$200, plus applicable court costs plus actual costs of prosecution.
 - (3) Third and subsequent offenses: \$500, plus applicable court costs plus actual costs of prosecution.

- B. Any and all changes in the forfeiture and/or bond for a violation of this article shall be set by a resolution adopted by a majority vote of the Common Council of the City of Hayward.