

**CITY OF FRISCO PERSONNEL POLICIES
CARRY OF HANDGUNS & FIREARMS POLICY**

Subject: CARRY OF HANDGUNS & FIREARMS

Date: 2/02/2016

Approved by: Ordinance 16-02-08

Revision Date:

I. STATEMENT OF PURPOSE:

The purpose of this policy is to establish the rules and procedures governing the carrying of handguns and firearms by City of Frisco employees in the course and scope of their employment.

II. SCOPE:

This policy applies to all City of Frisco employees.

This policy governs the open or concealed carry of “handguns,” and “firearms” as defined in Section 46.01 of the Texas Penal Code.

III. DEFINITIONS:

- **“Handgun”** means any firearm that is designed, made, or adapted to be fired with one hand, as defined in Section 46.01 of the Texas Penal Code.
- **“Firearm”** means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use, as defined in Section 46.01 of the Texas Penal Code. The term Firearm includes a handgun.
- **“Licensed Handgun Holder”** means a person who is licensed pursuant to Subchapter H, Chapter 411 of the Texas Government Code.
- **“Premises”** means a building or a portion of a city building, as defined in Section 46.035 of the Texas Penal Code. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
- For the purposes of this policy only, an **“employee”** includes all City of Frisco employees including all full-time, part-time, and temporary employees, and contract employees.

IV. **FIREARM AND HANDGUN POLICY:**

A. **City Premises:**

A City employee is prohibited from carrying a firearm onto City premises. The prohibition stated above shall not apply to a peace officer or those persons who have written authorization to carry a firearm as part of their official duties.

B. **Vehicles:**

1. A City employee may transport or store a firearm in his/her personal vehicle in a City parking lot and/or space so long as the vehicle is locked, unless otherwise prohibited by law.
2. A City employee is prohibited from possessing or storing a firearm in a vehicle owned or leased by the City of Frisco, regardless of whether the employee is a Licensed Handgun Holder, unless the City employee is authorized to carry a firearm in a City vehicle as part of his/her normal course and scope of employment, such as a police officer.

C. **Areas Prohibited by Law:**

It is a violation for a City employee when performing City duties or functions to carry a firearm in any location where the carrying of the firearm is not authorized by law.

D. **Restricted Access:**

Employees who have meetings with the public must be aware that those persons may openly carry handguns in public areas. If you have meetings with members of the public, the meetings should be conducted in spaces that are not designated for restricted access. Restricted access areas are any portions of the premises that the public is prohibited from accessing.

V. Intervention:

- A.** Except peace officers, City employees are prohibited from questioning the public regarding whether a person holds a proper license. Only peace officers may question a person who is carrying a handgun license as to whether the person holds the proper license under Chapter 411 of the Texas Government Code.
- B.** Anytime another City employee carries a firearm onto City premises or in a City vehicle (and is not authorized to do so), an employee should notify a supervisor and the supervisor will take the appropriate action necessary to resolve the situation.
- C.** If any person carrying any firearm displays erratic/concerning behavior or appears intoxicated, the City employee (regardless of location), should:
 - 1. Move to a safe location;
 - 2. Dial 911 to alert police so that they may dispatch assistance to the site; and
 - 3. Notify a supervisor immediately.

VI. Enforcement: A violation of this policy may result in adverse employment action, up to and including termination. Violations may also incur criminal penalties.