

AN ORDINANCE

AN ORDINANCE TO AMEND TITLE XII GENERAL OFFENSES, CHAPTER 135 WEAPONS, BY AMENDING THE CITY OF GOOSE CREEK'S CODE OF ORDINANCES BY REPEALING THE CURRENT SECTION 135.02 CARRYING LOADED FIREARM AND ADOPTING IN LIEU THEREOF A NEW SECTION 135.02 CARRYING LOADED FIREARM AND BY REPEALING IN ITS ENTIRETY SECTION 135.03 CARRYING WEAPONS FOR THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION

WHEREAS, the Mayor and City Council of the City of Goose Creek, South Carolina, IN CONSIDERATION OF THE HEALTH, SAFETY AND WELFARE OF THE Citizens of the City of Goose Creek, find it necessary and prudent to amend the Code of Ordinances of the City of Goose Creek, by repealing the existing Section 135.02 Carrying Loaded Firearm, of Title VIII General Offenses, Chapter 135: Weapons, of the City Code and adopting in lieu thereof a new Section 135.02 Carrying Loaded Firearm; and

WHEREAS, the purpose of this ordinance is to make Section 135.02 Carrying Loaded Firearm of the Code of Ordinances of the City of Goose Creek consistent with South Carolina State Law and adopting the following:

§ 135.02 CARRYING LOADED FIREARM.

It shall be unlawful to carry on one's person, any loaded firearm, unless (1) the person is in compliance with all requirements of the Law Abiding Citizens Self-Defense Act of 1996, sometimes commonly called the Concealed Weapon Permit Law, which is found at S.C. Code Title 23, Section 31, Article 4 and the Open Carry with Training Act of 2021, including the right of a concealed weapons permit holder to openly carry if following the requirements of that Act; or (2) if the person is a law enforcement officer or retired law enforcement officer exempt from local and state conceal carry restrictions under the "Law Enforcement Officers Safety Act" including amendments as set forth in federal law including 18 U.S.C. 926B and 18 U.S.C. 926C; or (3) a person carrying a concealed weapon upon their own premises. The weapon so carried shall be forfeited to the city upon conviction of a violation of this section.

WHEREAS, the Mayor and City Council of the City of Goose Creek, South Carolina, find it necessary and prudent to amend the Code of Ordinances of the City of Goose Creek, by repealing in its entirety the existing Section 135.03 Carrying Weapons, of Title VIII General Offenses, Chapter 135: Weapons, of the City Code as there is no longer a need for Section 135.03 Carrying Weapons as it is identical to current South Carolina State Law 16-23-460.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Code of Ordinances of the City of Goose Creek, South Carolina, is hereby amended by repealing the existing Section 135.02 Carrying Loaded Firearm, Chapter 135: Weapons of the City Code, and replacing it with the new Section 135.02 Carrying Loaded Firearm, as fully set out herein. And by repealing Section 135.03 Carrying Weapons in its entirety.

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

INTRODUCED the 11th day of July, 2023.
DONE the 5th day of August, 2023.

Absent
Mayor Gregory S. Habib

Attest: Kelly J. Lovette
Kelly J. Lovette, MMC, City Clerk

Jerry Tekac
Mayor Pro Tem Jerry Tekac

Absent
Councilmember Debra Green-Fletcher

Christopher Harmon
Councilmember Christopher Harmon

Gayla S.L. McSwain
Councilmember Gayla S.L. McSwain

Hannah J. Cox
Councilmember Hannah J. Cox

Melissa Enos
Councilmember Melissa Enos