

State of Alabama)
City of Tuscaloosa)

EXECUTIVE ORDER OF THE MAYOR

To: All Department Heads

Number: **2010 – 07 – AMENDED**
 File No. A10-0176

Date: February 26, 2010

Regarding: Prohibiting Firearms in City Facilities

Authority:

By the authority vested in me by the applicable provisions of the laws of the State of Alabama, including but not limited to Ala. Code §11-44B-7 (1975), pursuant to which the Mayor of the City as the Chief Executive Officer has the general supervision and control of all other officers and the affairs of the City, except as otherwise provided by law, I, Walter Maddox, as Mayor do hereby order and direct as follows:

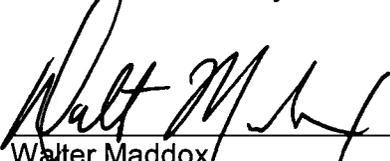
Any person in possession of a firearm is prohibited from entering or remaining in any municipal facility. A person in possession of a firearm is not licensed, invited, or privileged to enter any municipal facility and therefore is subject to denial of entry and/or ejection as a trespasser. This Executive Order applies regardless of whether the firearm is concealed or unconcealed and regardless of whether the person has a license or permit to carry a firearm; provided, however, it shall not apply to persons constructively in possession of firearms that are lawfully secured in a vehicle; security guards who are lawfully armed for the purpose of providing contractual services to the City; any member of the City of Tuscaloosa Fire and Rescue Service designated as an arson investigator pursuant to Section 11-1.1 of the Code of Tuscaloosa who is in good standing and/or while on duty and any City of Tuscaloosa law enforcement officer who is in good standing; and/or any law enforcement officer while on duty.

Police officers of the City, and any other authorized City officials, are authorized to deny entry and eject trespassers pursuant to this Executive Order. The Tuscaloosa Police Department is granted further discretion to create security checkpoints at any municipal facility; use metal detectors in municipal facilities; conduct searches and seizures at such checkpoints or elsewhere as allowed by law; and otherwise take reasonable measures to provide security at municipal facilities to the extent feasible. This Executive Order shall not restrict or abridge any powers, authority, or immunities, whether discretionary or non-discretionary, applicable to law enforcement officers, municipal officials, or municipal employees; and shall not create any legal duty that otherwise does not exist under law. As used in the Executive Order, a "municipal facility" is defined as those enclosed areas of any building complex or facility or portion thereof owned, leased, operated, or controlled by the City of Tuscaloosa; and "firearm" is defined as provided in ALA. CODE §13A-11-59(a)(2), as amended. This Executive Order supersedes Executive Order 2010-07 issued on February 23, 2010.

Implementation:

All Departments of the City and their respective employees to whom this Executive Order applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Order is not intended to conflict with, supersede, or contradict any lawful ordinance or resolution duly enacted by the City Council. This Order does not create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by a party against the City, its departments, agencies, entities, officers, employees, or agents, or any other person.

So Ordered from City Hall on the date indicated above.



Walter Maddox
Mayor, City of Tuscaloosa