

SEP 16 2013

Firearms Services Bureau
Illinois State Police

McHENRY COUNTY CONSERVATION DISTRICT

McHENRY COUNTY, ILLINOIS

18410 U.S. Highway 14
Woodstock, Illinois 60098

ORDINANCE NO. 13-870

AN ORDINANCE AMENDING SECTION 5 OF THE MCHENRY COUNTY CONSERVATION DISTRICT'S ORDINANCE 09-782 – AN ORDINANCE SETTING FORTH THE RULES AND REGULATIONS GOVERNING THE USE OF THE CONSERVATION SITES OF THE DISTRICT

WHEREAS, the McHenry County Conservation District is a special district organized under the laws of the State of Illinois authorized to make all ordinances for the protection of its property, and to exercise police powers in respect thereto. (70 ILCS 410/12(b, i)); and

WHEREAS, the Second Amendment right to possess a handgun for self-defense recognized in *District of Columbia v. Heller*, 554 U.S. 570, 626-27 (2008), is not unlimited, and does not cast doubt on longstanding prohibitions on carrying dangerous and unusual weapons, prohibitions on the carrying of firearms in sensitive places such as schools and government buildings, and laws imposing conditions and qualifications on the commercial sale of arms; and

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE MCHENRY COUNTY CONSERVATION DISTRICT, as follows:

Section 1. Recitals. The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment. Ordinance No. 09-782 “An Ordinance setting forth the Rules and Regulations Governing the Use of the Conservation Sites of the District,” is hereby amended as follows (additions in underline, deletions in ~~strikethrough~~):

SECTION 5: WEAPONS AND HARMFUL SUBSTANCES:

No person shall upon or in connection with any property of the District at any time have in their possession or on or about their person, vehicle, or any other conveyance concealed or otherwise, any firearm, pistol, revolver, rifle, shotgun, bow and arrow, slingshot, cross bow, spear or spear gun, stun gun, taser, switchblade knife, stiletto, sword, blackjack, club, martial arts weapon, paint gun, air rifle, or any weapon, or device capable of discharging a projectile or harmful chemical substance by air, spring, spirit,

gas or explosive, any explosive substance or harmful solid, liquid or gaseous substance or any other dangerous weapon, except at those ranges or areas designated for their use by the Executive Director and then only in accordance with the rules and restrictions duly set forth for the proper use of such ranges or areas. Nothing contained herein shall be construed to prevent any Police, Deputy, Sheriff, Coroner, State Policemen or any duly sworn peace officer from carrying such weapons as may be authorized and necessary in the discharge of their duties; nor shall it apply to any person summoned by any such Officer to assist in making arrests or preserving the peace while such person is engaged in assisting. **Nothing in this Section should be construed to regulate the possession of handguns, and the transportation of any firearm by a holder of a valid Firearm Owner's Identification Card or concealed carry license, in any manner inconsistent with State law.** (Class B)

Section 3. Ordinance Submission. Pursuant to 430 ILCS 65/13.3, the Board Secretary must submit a copy of this Ordinance to the Department of State Police within 30 days of the adoption of this Ordinance.

Section 4. Severability. If any section, paragraph, clause or provision of the Ordinance shall be held invalid, the invalidity shall not affect any of the other provisions of this Ordinance.

Section 5. Conflict. All ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance is hereby enacted immediately, and shall be in full force and effect after its passage, approval and publication in the manner provided by law.

PASSED this 18th day of July, 2013, by a roll call vote, as follows:

AYES: 7

NAYS: 0

ABSENT: 0

ABSTAIN: 0

McHENRY COUNTY CONSERVATION DISTRICT

By: 

President, Board of Trustees

ATTEST:

By: 

Secretary, Board of Trustees