

# TOWN OF BURKE ORDINANCE NO. 12172025

## AN ORDINANCE TO CREATE SECTION 9-2-1 OF THE GENERAL CODE OF ORDINANCES, REGARDING THE PROHIBITION OF CARRYING FIREARMS IN CERTAIN BUILDINGS IN THE TOWN OF BURKE, DANE COUNTY, WISCONSIN

The Town Board of Supervisors of the Town of BURKE, Dane County, Wisconsin, does hereby ordain as follows:

**SECTION 1:** SECTION 9-2-1 is created to read:

### SECTION 9-2-1 FIREARMS IN TOWN BUILDINGS PROHIBITED

- (a) **Purpose and Authority.** The purpose of this ordinance is to prohibit the carrying of firearms within buildings that are owned, occupied, or controlled by the Town of Burke. The Town Board of the Town of Burke, Dane County, Wisconsin, has the authority under Wis. Stat. §§ 60.01(1), 60.22(1), and 943.13(1m)(c)4. to adopt this ordinance.
- (b) **Carrying of firearms in Town buildings prohibited.**
  - (1) In this section, "carry" has the same meaning as provided in Wis. Stat. § 175.60(1)(ag).
  - (2) Except as provided in paragraph (4), the carrying of firearms in any part of any building owned, occupied, or controlled by the Town, excluding any building or portion of a building under Wis. Stat. § 175.60(16)(a) is prohibited. The Town shall provide notice to all actors not to enter or remain in the building while carrying a firearm as provided in paragraph (3).
  - (3) The Town Clerk shall post and maintain in a prominent place near each of the entrances to the part of each building to which the prohibition under this Section applies, a sign that is at least 5 inches by 7 inches that states: "Entering or remaining in this building while carrying a firearm is a violation of state law and Town ordinance Section 9-2-1. Violators may be prosecuted." If only part of a building is subject to the prohibition in this Section, the sign shall be modified so as to notify a reader that the carrying of a firearm within the applicable part of the building is prohibited. All signs shall be posted and maintained so that any individual entering the building can be reasonably expected to see the sign.
  - (4) This Section does not apply to a person who leases residential or business premises in the building or, if the firearm is in the vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.
  - (5) No person may, while carrying a firearm, enter or remain in any part of a building that is owned, occupied, or controlled by the Town, excluding any building or portion of a building under § 175.60(16)(a), Wis. Stats., if the Town has notified the person not to enter or remain in the building while carrying a firearm.
- (c) **Enforcement.** This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin and additionally as may be stated in Section 1-2-5 of this Code.
- (d) **Penalties.** The penalties under Wis. Stat. § 943.13(1m) are adopted by reference.

**SECTION 2:** *Effective Date.* This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

**SECTION 3** *Severability and Conflict.* If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Burke on December 17, 2025 by a vote of 5 ayes, 0 nays, and 0 not voting.

TOWN OF BURKE:

By Kevin Viney  
Kevin Viney, Chair

ATTEST:

PJ Lentz  
PJ Lentz, Administrator/Clerk/Treasurer