

**AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 672.02
IN ORDER TO COMPLY WITH STATE LAW.**

WHEREAS, the State of Ohio has made its position regarding firearms and the regulation thereof quite clear in Ohio Revised Code 9.68; and

WHEREAS, in Ohio Revised Code 9.68, the General Assembly reaffirmed “[t]he individual right to keep and bear arms” and its goal to “provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, taxation, keeping, and reporting of loss or theft of firearms, their components, and their ammunition, and knives;” and

WHEREAS, the City’s current concealed carry ordinance in Section 672.02 is currently outdated and broadly bans firearm possession within the City and fails to account for “qualified adults” as required under state general law.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, Summit County, Ohio, as follows:

Section 1. That Chapter 672 of the Codified Ordinances of the City of Hudson, relating to the possession of weapons, including firearms, be amended as provided in Exhibit “A,” which is incorporated here, with additions in **bold** and underline and deletions being ~~stricken~~.

Section 2. It is found and determined that this amendment is necessary to remedy contradictions between the City of Hudson’s General Offenses Code and the Ohio Revised Code, including but not limited to Section 9.68 of the Ohio Revised Code.

Section 3. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 25-91 was duly passed by the Council of said Municipality on _____, 2025.

Aparna Wheeler, Clerk of Council

Exhibit “A”

672.02 CARRYING CONCEALED WEAPONS.

- (a) No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand, any of the following:
 - (1) A deadly weapon other than a handgun;
 - (2) A handgun other than a dangerous ordnance;
 - (3) A dangerous ordnance.
- (b) No person who has been issued a concealed handgun license shall do any of the following:
 - (1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, before or at the time a law enforcement officer asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then is carrying a concealed handgun, provided that it is not a violation of this division if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;
 - (2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;
 - (3) If the person is stopped for a law enforcement purpose, if the person is carrying a concealed handgun, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun from the holster, pocket, or other place in which the person is carrying it, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person removes, attempts to remove, grasps, holds, or has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer;
 - (4) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the person is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.
- (c) (1) This section does not apply to any of the following:

- A. An officer, agent, or employee of the Municipality, this the State of Ohio or any other State or the United States, or to a law enforcement officer, who is authorized to carry concealed weapons or dangerous ordnance or is authorized to carry handguns and is acting within the scope of the officer's, agent's, or employee's duties;
 - B. Any person who is employed in this State, who is authorized to carry concealed weapons or dangerous ordnance or is authorized to carry handguns, and who is subject to and in compliance with the requirements of Ohio Revised Code R.C. 109.801, as amended, unless the appointing authority of the person has expressly specified that the exemption provided in this division (c)(1)B does not apply to the person.
 - D. A person's transportation or storage of a firearm, other than a firearm described in Ohio Revised Code R.C. 2923.11(G) to (M), as amended, in a motor vehicle for any lawful purpose if the firearm is not on the actor's person;
 - E. A person's storage or possession of a firearm, other than a firearm described in Ohio Revised Code R.C. 2923.11(G) to (M), as amended, in the actor's own home for any lawful purpose.
- (2) Division (a)(2) of this section does not apply to any person who has been issued a concealed handgun license that is valid at the time of the alleged carrying or possession of a handgun, or who is a qualifying adult pursuant to Section 2923.111 of the Ohio Revised Code, as amended, or who, at the time of the alleged carrying or possession of a handgun, is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio Revised Code R.C. 2923.125(G)(1), as amended, unless the person knowingly is in a place described in Ohio Revised Code R.C. 2923.126(B), as amended.
- (d) It is an affirmative defense to a charge under division (a)(1) of this section of carrying or having control of a weapon other than a handgun and other than a dangerous ordnance, that the actor was not otherwise prohibited by law from having the weapon, and that any of the following applies:
- (1) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in or was going to or from the actor's lawful business or occupation, which business or occupation was of a character or was necessarily carried on in a manner or at a time or place as to render the actor particularly susceptible to criminal attack, such as would justify a prudent person in going armed.

- (2) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in a lawful activity and had reasonable cause to fear a criminal attack upon the actor, a member of the actor's family, or the actor's home, such as would justify a prudent person in going armed.
 - (3) The weapon was carried or kept ready at hand by the actor for any lawful purpose and while in the actor's own home.
 - (4) **The weapon was carried or kept ready at hand in conformance with the laws of the State of Ohio, including but not limited to Section 9.68 of the Ohio Revised Code, as amended.**
- (e)
- (1) No person who is charged with a violation of this section shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.
 - (2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (b)(1) of this section as it existed prior to June 13, 2022, the person may file an application under Ohio Revised Code ~~R.C.~~ 2953.35, **as amended**, requesting the expungement of the record of conviction.
- (f)
- (1) Whoever violates this section is guilty of carrying concealed weapons. Except as otherwise provided in this division or divisions (f)(2), (f)(6), and (f)(7) of this section, carrying concealed weapons in violation of division (a) of this section is a misdemeanor of the first degree. Except as otherwise provided in this division or divisions (f)(2), (f)(6), and (f)(7) of this section, if the offender previously has been convicted of a violation of this section or any substantially equivalent State law or municipal ordinance or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, carrying concealed weapons in violation of division (a) of this section is a felony to be prosecuted under appropriate State law. Except as otherwise provided in divisions (f)(2), (f)(6), and (f)(7) of this section, if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved, carrying concealed weapons in violation of division (a) of this section is a felony to be prosecuted under appropriate State law.
 - (2) A person shall not be arrested for a violation of division (a)(2) of this section solely because the person does not promptly produce a valid concealed handgun license. If a person is arrested for a violation of division (a)(2) of this section and is convicted of or pleads guilty to the violation, the offender shall be punished as follows:
 - A. The offender shall be guilty of a minor misdemeanor if both of the following apply:

1. Within 10 days after the arrest, the offender presents a concealed handgun license, which license was valid at the time of the arrest to the law enforcement agency that employs the arresting officer.
 2. At the time of the arrest, the offender was not knowingly in a place described in Ohio **Revised Code R.C. 2923.126(B), as amended.**
- B. The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars (\$500.00) if all of the following apply:
1. The offender previously had been issued a concealed handgun license, and that license expired within the two years immediately preceding the arrest.
 2. Within 45 days after the arrest, the offender presents a concealed handgun license to the law enforcement agency that employed the arresting officer, and the offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in Ohio **Revised Code R.C. 2945.71, as amended.**
 3. At the time of the commission of the offense, the offender was not knowingly in a place described in Ohio **Revised Code R.C. 2923.126(B), as amended.**
- C. If divisions (f)(2)A. and (f)(2)B. and (f)(6) of this section do not apply, the offender shall be punished under division (f)(1) or (f)(7) of this section.
- (3) Carrying concealed weapons in violation of division (b)(1) of this section is a misdemeanor of the second degree.
 - (4) Carrying concealed weapons in violation of division (b)(2) or (b)(4) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (b)(2) or (b)(4) of this section or any substantially equivalent State law or municipal ordinance, a felony to be prosecuted under appropriate State law. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (b)(2) or (b)(4) of this section, the offender's concealed handgun license shall be suspended pursuant to Ohio **Revised Code R.C. 2923.128(A)(2), as amended.**
 - (5) Carrying concealed weapons in violation of division (b)(3) of this section is a felony to be prosecuted under appropriate State law.
 - (6) If a person being arrested for a violation of division (a)(2) of this section is an active duty member of the armed forces of the United States and is carrying a valid

military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio **Revised Code R.C. 2923.125(G)(1), as amended**, and if at the time of the violation the person was not knowingly in a place described in Ohio **Revised Code R.C. 2923.126(B), as amended**, the officer shall not arrest the person for a violation of that division. If the person is not able to promptly produce a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio **Revised Code R.C. 2923.125(G)(1), as amended**, and if the person is not in a place described in Ohio **Revised Code R.C. 2923.126(B), as amended**, the officer shall issue a citation and the offender shall be assessed a civil penalty of not more than five hundred dollars (\$500.00). The citation shall be automatically dismissed and the civil penalty shall not be assessed if both of the following apply:

- A. Within ten days after the issuance of the citation, the offender presents a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio **Revised Code R.C. 2923.125(G)(1), as amended**, which were both valid at the time of the issuance of the citation to the law enforcement agency that employs the citing officer.
 - B. At the time of the citation, the offender was not knowingly in a place described in Ohio **Revised Code R.C. 2923.126(B), as amended**.
- (7) If a person being arrested for a violation of division (a)(2) of this section is knowingly in a place described in Ohio **Revised Code R.C. 2923.126(B)(5), as amended**, and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:
- A. Except as otherwise provided in this division, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of division (a)(2) of this section or any substantially equivalent State law or municipal ordinance, the person is guilty of a minor misdemeanor;
 - B. Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to a violation of division (a)(2) of this section or any substantially equivalent State law or municipal ordinance, the person is guilty of a misdemeanor of the fourth degree;

- C. Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to two violations of division (a)(2) of this section or any substantially equivalent State law or municipal ordinance, the person is guilty of a misdemeanor of the third degree;
 - D. Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to three or more violations of division (a)(2) of this section or any substantially equivalent State law or municipal ordinance, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordinance, the person is guilty of a misdemeanor of the second degree.
- (g) If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, Ohio **Revised Code** ~~R.C.~~ 2923.163(B), **as amended**, applies.
- (h) For purposes of this section, “deadly weapon” or “weapon” does not include any knife, razor, or cutting instrument if the instrument was not used as a weapon.
- (i) **A valid concealed handgun license does not authorize the licensee to carry a concealed handgun in any manner prohibited under division (B) of section 2923.12 of the Ohio Revised Code, as amended, or in any manner prohibited under section 2923.16 of the Ohio Revised Code, as amended. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:**
- (1) A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation; a state correctional institution, jail, workhouse, or other detention facility; any area of an airport passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency; or an institution that is maintained, operated, managed, and governed pursuant to division (A) of section 5119.14 of the Ohio Revised Code, as amended, or division (A)(1) of section 5123.03 of the Ohio Revised Code, as amended;**

- (2) A school safety zone if the licensee's carrying the concealed handgun is in violation of section 2923.122 of the Ohio Revised Code, as amended;
- (3) Any premises or open air arena for which a D permit has been issued under Chapter 4303 of the Ohio Revised Code, as amended, if the licensee's carrying the concealed handgun is in violation of section 2923.121 of the Ohio Revised Code, as amended;
- (4) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises;
- (5) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;
- (6) Any building that is a government facility of this City and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility, unless the City Council President has issued a policy that permits a licensee or qualified adult to carry a concealed handgun into such building or buildings and has placed that policy on file with the Chief of Police. The policy and all records related to its development and implementation contain information directly used for protecting or maintaining the security of a public office against attack, interference, terrorism, or sabotage and shall constitute security records as defined under Ohio Revised Code 149.333, as amended;
- (7) A place in which Ohio law prohibits the carrying of handguns.
- (8) A place in which federal law prohibits the carrying of handguns.