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S.131

An act relating to approval of an amendment to the charter of the City of Burlington relating to the possession of firearms

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of Burlington as set forth in this act. Voters approved the proposal of amendment on March 4, 2025.

Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

CHAPTER 3. CITY OF BURLINGTON

* * *

§ 510. BAN ON FIREARMS IN PREMISES LICENSED TO SERVE ALCOHOLIC BEVERAGES

(a) Statutes superseded. This section expressly supersedes 24 V.S.A. §§ 2291(8) and 2295 and authorizes the City to regulate the possession and carrying of firearms pursuant to this section.

(b) Ban. Within the City of Burlington, no person may knowingly possess a firearm, as defined by 13 V.S.A. § 4016(a)(3), in any premises licensed to serve alcoholic beverages.

(c) Exceptions. This provision shall not apply to:

1 (1)(A) a second-class licensed premises, including premises used for a
2 retail alcoholic beverage tasting permit;

3 (B) sidewalks or public highways that pass through an outside
4 premises for which a licensee holds an outside consumption permit;

5 (C) the premises for which a licensee holds a limited event permit,
6 special event permit, or special event serving permit; or

7 (D) a dining car for which a licensee holds a promotional railroad
8 tasting permit; or

9 (2) a firearm possessed by:

10 (A) any federal, State, or local law enforcement officer acting within
11 the scope of that officer's official duties;

12 (B) any member of the armed forces of the United States or the
13 Vermont National Guard acting within the scope of that person's military
14 duties;

15 (C) any government officer, agent, or employee authorized to carry a
16 weapon and acting within the scope of that person's duties; or

17 (D) the holder of the license for the premises, provided that person is
18 not prohibited from possessing or carrying that weapon under any other
19 federal, State, or local law.

20 (d) Penalties. The penalty for any violation of this section shall be as
21 follows:

1 (1) Criminal offense. Any violation of this section may be considered a
2 criminal offense, which shall be punishable by a fine of not more than
3 \$1,000.00 or imprisonment for not more than 90 days.

4 (2) Civil offense. Any violation of this section may also be considered a
5 civil ordinance violation punishable by a civil penalty of not less than \$200.00
6 and not more than \$500.00.

7 Sec. 3. EFFECTIVE DATE

8 This act shall take effect on passage.