

City of Waukesha, Wisconsin

Ordinance No. _____-16

**An Ordinance Amending Sections 11.01(4) and 11.01(9)(a) of the
Waukesha Municipal Code, Regarding Switch-Blade Knives**

Whereas 2015 Wisconsin Act 149, effective February 8, 2016, repealed Wis. Stat. §941.24 so that it is no longer a violation to carry switchblades or other knives having a blade which opens by pressing a button, spring or other device in the handle or by gravity or a thrust or movement; and

Whereas Waukesha Municipal Code §11.941.24 currently incorporates Wis. Stat. §941.24 so that municipal citations may be issued for carrying such knives; and

Whereas Act 149 also amended Wis. Stat. §66.0409 so that it specifically forbids municipalities from enforcing ordinances which regulate the sale, resale, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration, or taxation of any knife unless the ordinance is the same or similar to, and no more stringent than, a state statute;

Now, therefore, the Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 11.01(4) of the Waukesha Municipal Code is hereby amended to delete the following line:

“11.941.24 Possession of a Switchblade Knife”

The remainder of Section 11.01(4) is not amended and remains in effect.

Section 2. Section 11.01(9)(a) of the Waukesha Municipal Code is hereby amended to delete the following line:

“11.941.24 Possession of a Switchblade Knife Not Less Than \$50 or More Than \$500”

The remainder of Section 11.01(4) is not amended and remains in effect.

Section 3. All ordinances and Municipal Code sections that are inconsistent with this Ordinance, or contravene the provisions of this Ordinance, are hereby repealed.

Section 4. This Ordinance shall be effective immediately upon its publication.

Passed the 1st day of March, 2016.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk