

WEAPONS PROHIBITION POLICY

Lewes Senior Activity Center

A Delaware Nonprofit Corporation

I. PURPOSE AND POLICY STATEMENT

This Weapons Prohibition Policy establishes clear guidelines prohibiting the carrying or possession of weapons on property owned, leased, operated, or controlled by Lewes Senior Activity Center (the "Organization"). This Policy is adopted pursuant to the Organization's rights as a private property owner under Delaware law to control access to and activities on its premises.

The purpose of this Policy is to:

1. Maintain a safe and secure environment for all employees, volunteers, clients, visitors, and members of the public
2. Reduce the risk of violence, accidents, and injury on Organization property
3. Exercise the Organization's property rights under Delaware law
4. Establish clear expectations and consequences for violations

This Policy applies to all Organization property, facilities, events, and activities, regardless of location.

II. LEGAL FRAMEWORK

Delaware Property Owner Rights

Under Delaware law, private property owners have the legal right to restrict firearms and other weapons on their premises, and businesses may post signage prohibiting firearms. While "No Firearm" signs in Delaware have no force of law as criminal statutes, property owners retain the right to ask individuals carrying weapons to leave their property.

Enforcement Through Trespass Law

The Organization's ability to enforce this Policy is supported by Delaware's criminal trespass statutes:

Delaware Code Title 11, Chapter 5, Subchapter III:

- **§ 821 - Criminal trespass in the third degree (a violation):** A person is guilty of criminal trespass in the third degree when the person knowingly enters or remains unlawfully upon real property
- **§ 822 - Criminal trespass in the second degree (unclassified misdemeanor):** A person is guilty of criminal trespass in the second degree when the person knowingly enters or remains unlawfully in a building or upon real property which is fenced or otherwise enclosed in a manner manifestly designed to exclude intruders
- **§ 823 - Criminal trespass in the first degree (class A misdemeanor):** A person is guilty of criminal trespass in the first degree when the person knowingly enters or remains unlawfully in a dwelling or building used to shelter, house, milk, raise, feed, breed, study or exhibit animals

When an individual refuses to leave Organization property after being asked to do so due to violation of this Policy, they may be subject to criminal trespass charges under Delaware law.

III. SCOPE AND APPLICABILITY

A. Covered Persons

This Policy applies to all individuals present on Organization property, including but not limited to:

- Employees (full-time, part-time, and temporary)
- Volunteers and interns
- Board members and officers
- Contractors, vendors, and service providers
- Clients, program participants, and beneficiaries
- Members of the general public attending events or programs
- Visitors and guests

B. Covered Locations

This Policy applies to:

- All buildings, structures, and facilities owned, leased, or operated by the Organization
- All real property and grounds controlled by the Organization
- Organization's parking lots and parking areas
- All Organization-sponsored events, activities, and programs, regardless of location
- Organization vehicles

IV. PROHIBITED WEAPONS

The following weapons are strictly prohibited on Organization property:

A. Firearms

All firearms are prohibited, including but not limited to:

- Handguns (revolvers and semi-automatic pistols)
- Rifles and shotguns
- Assault weapons as defined by Delaware law
- Unloaded firearms
- Antique firearms
- Replica or imitation firearms that resemble actual firearms

B. Other Deadly Weapons

All other deadly weapons are prohibited, including but not limited to:

- Knives with blades exceeding 3 inches in length
- Daggers, dirks, stilettos, and switchblades
- Swords, machetes, and similar bladed weapons
- Martial arts weapons (throwing stars, nun chucks, etc.)
- Clubs, blackjacks, and brass knuckles

- Stun guns, tasers, and electronic control devices
- Explosives, incendiary devices, and fireworks
- Chemical sprays (except small personal defense sprays under 0.75 oz)
- Bows, crossbows, and other projectile weapons
- Any object designed, modified, or used as a weapon

C. Concealed Carry

This prohibition applies to all weapons regardless of whether:

- The individual possesses a valid Delaware Concealed Deadly Weapon License (CDWL)
- The individual possesses a concealed carry permit from another state
- The weapon is openly carried or concealed
- The weapon is loaded or unloaded
- The weapon is stored in a vehicle on Organization property

V. EXCEPTIONS

The following limited exceptions to this Policy are permitted:

A. Law Enforcement Officers

Sworn law enforcement officers acting in their official capacity or while on duty may carry firearms and other weapons authorized by their employing agency. Off-duty law enforcement officers are subject to this Policy unless specifically authorized in writing by the Executive Director.

B. Licensed Security Personnel

Commissioned security guards or officers employed or contracted by the Organization who are acting in an official capacity and specifically authorized in writing by the Executive Director may carry weapons as necessary for their duties.

C. Authorized Programs

Weapons may be present when specifically required for an authorized Organization program or activity (such as historical demonstrations, educational programs, or theatrical productions), provided:

- The Executive Director has granted prior written approval
- All applicable safety protocols are followed
- The weapons are immediately secured before and after the authorized use
- Participants and the public are properly notified

D. Tools and Equipment

Common tools carried for legitimate work purposes (utility knives, box cutters, scissors) that are not designed or intended as weapons and are used solely for their intended purpose are not prohibited under this Policy, provided they comply with all applicable workplace safety rules.

VI. NOTIFICATION AND SIGNAGE

The Organization shall provide clear notice of this Policy through:

1. **Signage:** Clearly visible signs shall be posted at all entrances to Organization property stating:

NO WEAPONS PERMITTED

The carrying or possession of firearms and other deadly weapons is prohibited on this property. Individuals carrying weapons will be asked to leave. Refusal to comply may result in criminal trespass charges.

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2. **Written Notice:** This Policy shall be:

- Included in employee handbooks and orientation materials
- Provided to volunteers during onboarding
- Referenced in contracts with vendors and contractors
- Posted on the Organization's website

- Included in event registration materials where applicable
- 3. **Verbal Notice:** Staff are authorized to verbally inform any individual observed carrying a weapon that weapons are prohibited on Organization property and to request that they leave the premises.

VII. ENFORCEMENT AND PENALTIES

A. Initial Response

When an individual is found to be carrying or possessing a weapon in violation of this Policy:

1. **Immediate Action:** Staff shall immediately notify their supervisor and/or the Executive Director (or designee)
2. **Request to Leave:** The individual shall be politely but firmly informed of this Policy and asked to:
 - Immediately remove the weapon from Organization property, OR
 - Secure the weapon in their vehicle outside Organization facilities, OR
 - Leave Organization property immediately
3. **Compliance:** If the individual complies with the request:
 - For employees: Disciplinary action as outlined below
 - For volunteers: Possible removal from volunteer service (may reapply subject to Board approval)
 - For members/visitors/public: Incident documented; individual may return without weapons

B. Refusal to Comply - Trespass

If an individual refuses to comply with a request to leave Organization property after being informed of this Policy violation:

1. **Defiant Trespass:** The individual's continued presence constitutes unlawful entry or remaining on the property under Delaware Code Title 11, §§ 821-823
2. **Law Enforcement:** Organization staff shall immediately contact local law enforcement to report the trespass

3. **Criminal Penalties:** The individual may be subject to criminal prosecution under Delaware trespass laws.
4. **Permanent Ban:** Individuals who refuse to comply may be permanently banned from Organization property

C. Employee Violations

Employees who violate this Policy are subject to the following disciplinary action:

1. First Violation:

- Written warning placed in personnel file
- Mandatory review of this Policy
- Immediate removal of weapon from premises required

2. Second Violation:

- Suspension without pay (duration determined by severity)
- Final written warning
- May include mandatory counseling or training

3. Third Violation or Refusal to Comply:

- Immediate termination of employment
- Report violation to law enforcement if trespass occurs

4. Aggravating Circumstances:

- Immediate termination may result from first violation if:
 - Weapon is displayed, brandished, or used in a threatening manner
 - Violation occurs during or in connection with any violent, threatening, or criminal behavior
 - Employee refuses to comply with directives to remove weapon
 - Violation creates an imminent threat to safety

D. Volunteer and Contractor Violations

- **Volunteers:** Immediate removal from volunteer service; may reapply after 6 months subject to Board approval

- **Contractors/Vendors:** Contract termination and removal from approved vendor list; report to contracting company

E. Civil Liability

Violation of this Policy may also result in:

- Civil liability for any injuries, damages, or losses resulting from the violation
- Injunctive relief prohibiting future entry onto Organization property
- Liability for Organization's legal fees and costs associated with enforcement

VIII. REPORTING VIOLATIONS

All employees, volunteers, and visitors are encouraged to report suspected violations of this Policy:

1. **Immediate Safety Threats:** Call 911 immediately if a weapon is displayed or used in a threatening manner
2. **Non-Emergency Reports:** Report violations to:
 - Your immediate supervisor
 - Executive Director
 - Board President
3. **Confidential Reporting:** The Organization will maintain confidentiality to the extent possible under law
4. **No Retaliation:** The Organization prohibits retaliation against any individual who reports a Policy violation in good faith

IX. EMERGENCY SITUATIONS

Nothing in this Policy shall prevent:

1. Law enforcement officers from carrying weapons while responding to emergencies on Organization property
2. Individuals from taking lawful defensive actions in legitimate self-defense situations

3. The Organization from temporarily modifying this Policy during declared states of emergency when specifically authorized by the Board of Directors

X. EDUCATION AND TRAINING

The Organization shall:

1. Provide annual training for all employees regarding this Policy
2. Include Policy review in volunteer orientation programs
3. Train supervisors and managers on enforcement procedures
4. Review and update this Policy as necessary to maintain compliance with Delaware law

XI. SEVERABILITY

If any provision of this Policy is found to be unenforceable or invalid under Delaware law, that provision shall be limited or eliminated to the minimum extent necessary, and the remainder of this Policy shall remain in full force and effect.

XII. POLICY REVIEW AND AMENDMENTS

This Policy shall be reviewed annually by the Board of Directors and may be amended as necessary to:

- Reflect changes in Delaware law
- Address operational needs
- Enhance safety and security measures
- Respond to incidents or emerging threats

XIII. ACKNOWLEDGMENT

All employees and volunteers must acknowledge in writing that they have received, read, understand, and agree to comply with this Weapons Prohibition Policy.

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WEAPONS PROHIBITION POLICY ACKNOWLEDGEMENT

I acknowledge that I have received and read the Lewes Senior Activity Center Weapons Prohibition Policy. I understand that violation of this Policy may result in disciplinary action up to and including termination of employment/volunteer service, criminal prosecution for trespass, and potential civil liability.

Employee/Volunteer Name (Print): _____

Signature: _____

Date: _____

XIV. ADOPTION

This Weapons Prohibition Policy was adopted by the Board of Directors of the Lewes Senior Activity Center on February 12, 2026.

Board President Signature: Honey Britmayer

Date: Feb. 12, 2026

Secretary Signature: Dorothy Basile

Date: Feb 12, 2026

APPENDIX A: FREQUENTLY ASKED QUESTIONS

Q: Can I keep a firearm in my car in the parking lot?

A: No. This Policy prohibits weapons on all Organization property, including parking lots and vehicles on Organization premises.

Q: What if I have a Delaware concealed carry permit?

A: A concealed carry permit does not override the Organization's property rights. Weapons are prohibited regardless of permit status.

Q: What about pepper spray for personal protection?

A: Small personal defense sprays under 0.75 oz are permitted. Larger weapons-grade chemical sprays are prohibited.

Q: What happens if I forget I'm carrying a weapon?

A: Inform a supervisor immediately. You will be asked to secure it off-premises. Honest mistakes will be handled on a case-by-case basis, but repeat violations will result in discipline.

Q: Does this apply to off-site Organization events?

A: Yes. This Policy applies to all Organization-sponsored activities, programs, and events regardless of location.

This policy is based on Delaware law and the Organization's rights as a private property owner. Individuals with questions about this Policy should contact the Executive Director of the Lewes Senior Activity Center.

This policy does not create any contractual rights or obligations.