



# City of Chicago



O2013-6015

Office of the City Clerk

## Document Tracking Sheet

Meeting Date: 7/25/2013

Sponsor(s): Emanuel, Rahm (Mayor)

Type: Ordinance

Title: Amendment of Titles 2, 4, 8, 9, 10, 15 and 17 of Municipal Code regarding various corrections and clarifications to firearms

Committee(s) Assignment: Committee on Public Safety



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

July 24, 2013

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Superintendent of Police and the Corporation Counsel, I transmit herewith an ordinance amending various provisions of the Municipal Code regarding firearms.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

## O R D I N A N C E

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

**SECTION 1.** Section 2-84-190 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**2-84-190 Disposal of weapons.**

~~None of the provisions of the preceding sections Sections 2-84-150 through 2-84-180, inclusive, shall not apply to pistols, revolvers firearms, bowie knives, dirks, slung-shots, metallic knuckles or other deadly weapons of like character. All such weapons, except those that the superintendent of police shall deem deems to be of use to the department of police and chooses to retain for the department's use of said department, shall, within six months after their receipt, be taken without undue delay by either said custodian or his duly appointed deputy, and the superintendent of police or his duly appointed deputy, designee to a steel mill or other suitably equipped facility where they the weapons and their components shall be destroyed by being placed in a furnace and melted down to form new metal rendered permanently inoperable by melting, shredding, or other means. The superintendent is authorized to enter into agreements necessary to effectuate such weapon disposals, subject to the availability of duly appropriated funds.~~

**SECTION 2.** Title 4 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**4-144-190 Replica firearms and pellet guns.**

(Omitted text is unaffected by this ordinance)

(c) The manufacture, marketing, distribution, sale and possession of replica firearms are permitted if the devices are manufactured, marketed, distributed, sold or held ~~(1) solely for subsequent transportation in intrastate, interstate or foreign commerce, or (2) solely for use in theatrical productions, including motion picture, television and stage productions.~~ Such devices shall not be displayed to the general public or sold for other use in the city. The use or possession of a paint pellet or paint pellet gun is permitted if the use or possession is solely within premises licensed as a public place of amusement; or if the use or possession is solely for the purpose of transporting the paint pellet or paint pellet gun to or from those premises by the licensee or agent or employee of the licensee, or by a common carrier, for purposes of initial delivery, repair or disposal of the paint pellet or paint pellet gun.

(Omitted text is unaffected by this ordinance)

**4-151-010 Definitions.**

As used in this Chapter, unless the context requires otherwise:

"Ammunition," ~~"CFR,"~~ "firearm" and "FOID" have the meanings ascribed to the terms in Section 8-20-010.

(Omitted text is unaffected by this ordinance)

"Completely enclosed building" has the same definition ascribed to that term in section 17-17-0239.

"CCL" means a concealed carry license issued pursuant to the Firearm Concealed Carry Act.

"Department" means the department of business affairs and consumer protection.

(Omitted text is unaffected by this ordinance)

**4-151-030 License – Application and issuance procedures.**

(Omitted text is unaffected by this ordinance)

(b) The application shall be in writing, signed by the applicant if an individual. If the applicant is a partnership or corporation, the application shall be signed by an officer or partner. If the applicant is a limited liability company managed by managers, the application shall be signed by a manager. If the applicant is a limited liability company managed by its members, the application shall be signed by a member. The application shall be verified by oath or affidavit, and shall include the following statements and information:

(Omitted text is unaffected by this ordinance)

(6) the manager's, range master's and employees' ~~CFP~~ and FOID card numbers;

(Omitted text is unaffected by this ordinance)

**4-151-040 Qualifications for licenses.**

No license shall be issued under this chapter if the applicant, the manager, range master, or any employee:

(Omitted text is unaffected by this ordinance)

(d) Does not possess ~~a valid CFP~~ and a FOID card; provided that if the applicant is not a natural person, no ~~CFP~~ or FOID card shall be required of the applicant;

(Omitted text is unaffected by this ordinance)

**4-151-100 Standards of operation.**

(Omitted text is unaffected by this ordinance)

~~(e) No person shall be permitted to enter or leave the shooting range facility with a loaded firearm.~~ Reserved

(Omitted text is unaffected by this ordinance)

(g)(1) The licensee shall not permit any person, including a shooting range patron, to possess or discharge a firearm at the shooting range, if the person does not have a FOID card or CCL, if required to do so. Every person possessing a firearm at a shooting range facility,

~~including all shooting range patrons, shall have a CFP and a FOID card, unless the person is an exempt person under Section 8-20-110(e) or (f). The licensee or manager shall require every shooting range patron claiming to be an exempt person under Section 8-20-110(e) or (f) to provide evidence of such exemption, and to provide a FOID card.~~

~~(2) Notwithstanding subsection (g)(1), a CFP shall not be required of a shooting range patron while the shooting range patron is receiving the one-hour firearm range training in compliance with Section 8-20-120. This exception only applies for a one-time, one-hour period while the shooting range patron is receiving the range training portion of the required firearm safety and training course.~~

(Omitted text is unaffected by this ordinance)

~~(l) Every firearm possessed at the shooting range facility shall be registered in compliance with Chapter 8-20 and the licensee shall not permit any unregistered firearm at the shooting range facility, whether possessed by the licensee or brought to the facility by a shooting range patron, unless the firearm is exempted from registration pursuant to Section 8-20-140(f). The licensee shall require proof that any firearm possessed at the shooting range facility is registered or exempt from registration pursuant to Section 8-20-140(f). Reserved.~~

(Omitted text is unaffected by this ordinance)

~~(n) The manager shall maintain a record of all shooting range patrons, which shall include the patron's name, the patron's CFP and FOID card numbers, if any, the date of the patron's visit to the facility, and the times that the patron begins and ends use of the facility. The record shall be maintained for not less than one year.~~

#### **4-151-170 Use and repair of firearms and sale of ammunition.**

~~(a) A licensee, manager, range master or employee may provide a firearm registered to the licensee for use at a shooting range facility to a shooting range patron for the patron's use at the shooting range; provided that no firearm shall be provided to a shooting range patron if the shooting range patron does not have a FOID card or CCL card when the shooting range patron, if required to do so, has a valid CFP and FOID card, or is receiving the one-hour range training required for a CFP. All such firearms provided to the shooting range patrons shall be registered pursuant to Section 8-20-140.~~

(Omitted text is unaffected by this ordinance)

~~(c) A licensee is exempt from obtaining a weapons dealer license under Chapter 4-144 when:~~

- ~~(1) providing a firearm or ammunition in compliance with this section; except that the licensee shall be subject to the same provisions that are applicable to a licensee under sections 4-144-061, 4-144-062 and 4-144-065; or~~
- ~~(2) repairing a firearm that is owned by a shooting range patron who has a valid registration for the firearm and the firearm is repaired on-site at the shooting range facility. The licensee shall submit a report of all firearms received for repair at the shooting range facility in compliance with Section 4-144-130.~~

#### **4-151-175 Storage of firearms or ammunition.**

~~A licensee may provide an area at the shooting range facility for the storage of ammunition or firearms owned or registered by the licensee or shooting range patrons; provided~~

that the licensee shall not provide storage for ammunition or a firearm if the owner of such firearm or ammunition does not have a FOID card or CCL, if required to do so all firearms have a valid firearm registration certificate.

~~(b) A licensee or a shooting range patron may store a firearm or ammunition at the shooting range facility if the licensee or patron has a valid firearm registration certificate for each firearm stored at the facility. Reserved.~~

~~(c) A licensee shall maintain on-site copies of the firearm registration certificates of all firearms stored at the shooting range facility. Copies of the firearm registration certificates shall be made available upon request for inspection by members of the police department. Reserved.~~

(d) Firearms shall be stored separately from ammunition. Storage of firearms and ammunition shall comply with an approved safety plan pursuant to Section 4-151-110, Section 15-4-985 ~~15-20-060~~, and any applicable rule or regulation.

#### **4-240-120 Display of weapons restricted.**

No such licensee shall show, display or exhibit any ~~pistol, revolver, derringer,~~ bowie knife, dirk or other weapon of like character which can be concealed on the person, in any show window or in or on any premises immediately abutting upon any public way in the city in such a way that the same may be seen from such public way.

**SECTION 3.** Title 8 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

#### **8-4-010 Disorderly conduct.**

A person commits disorderly conduct when he knowingly:

(Omitted text is unaffected by this ordinance)

(i) Carries in a threatening or menacing manner, without authority of law, any ~~pistol, revolver, dagger, razor, dangerous knife, stiletto, knuckles, slingshot,~~ an object containing noxious or deleterious liquid, gas or substance or other dangerous weapons of like character, or conceals ~~said weapon~~ any dagger, razor, dangerous knife, stiletto, knuckles, slingshot, an object containing noxious or deleterious liquid, gas or substance or other dangerous weapons of like character on or about the person or vehicle; or

(Omitted text is unaffected by this ordinance)

#### **8-4-355 Enhanced penalties for offenses committed in student safety zones.**

(b) / Penalties.

(Omitted text is not affected by this ordinance)

(3) The following enhanced penalties shall apply to violations of ~~sections~~ section 8-24-020 and ~~8-24-027~~ of this Code that occur in student safety zones:

(Omitted text is not affected by this ordinance)

**ARTICLE I. DEFINITIONS**

**8-20-010 Definitions.**

For purposes of this chapter the following terms shall apply:

"The Act" means the Illinois Firearm Owners Identification Card Act, 430 ILCS 65/1 et seq., as amended.

(Omitted text is unaffected by this ordinance)

~~"Chicago Firearm Permit" or "CFP" means the permit issued by the City which allows a person to possess a firearm.~~

"Corrections officer" means wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

"Department" means the department of police.

~~"Dwelling unit" has the same meaning ascribed to that term in section 17-17-0248.~~

"Duty-related firearm" shall mean any firearm which is authorized by any law enforcement agency or employer to be utilized by their personnel in the performance of their official duties.

(Omitted text is unaffected by this ordinance)

"Firearm case" means any firearm case, carrying box, shipping box or other similar container that is designed for the safe transportation of the firearm.

"FOID" means the Firearm Owner's Identification Card issued pursuant to the Act.

~~"Handgun" means a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such firearm can be assembled.~~

(Omitted text is unaffected by this ordinance)

~~"Home" means the inside of a person's dwelling unit which is traditionally used for living purposes, including the basement and attic. A "home" does not include: (i) any garage, including an attached garage, on the lot; (ii) any space outside the dwelling unit, including any stairs, porches, back, side or front yard space, or common areas; or (iii) any dormitory, hotel, or group living, as that term is defined in section 17-17-0102-A.~~

"Licensed shooting range facility" means a shooting range facility that is duly licensed pursuant to Chapter 4-151.

"Licensee of a licensed shooting range facility" or "licensee" means any person issued a shooting range facility license under Chapter 4-151.

"Laser sight accessory" means a laser sighting device which is either integrated into a firearm or capable of being attached to a firearm.

~~"Lawful transportation" means the transportation of a firearm by a person:~~  
~~(1) in compliance with section 8-20-090; or~~  
~~(2) who has a valid FOID card, a CFP and firearm registration certificate, if applicable, and the firearm is:~~  
~~(i) broken down in a nonfunctioning state;~~  
~~(ii) not immediately accessible; and~~  
~~(iii) unloaded and in a firearm case.~~

~~"Long gun" means any firearm, other than a handgun.~~

(Omitted text is unaffected by this ordinance)

~~"Metal piercing bullet" means any bullet that is manufactured with other than a lead or lead alloy core, or ammunition of which the bullet itself is wholly composed of, or machined from, a metal or metal alloy other than lead, or any other bullet that is manufactured to defeat or penetrate bullet resistant properties of soft body armor or any other type of bullet resistant clothing which meets the minimum requirements of the current National Institute for Justice Standards for "Ballistic Resistance of Police Body Armor."~~

~~"Organization" means partnership, company, corporation or other business entity, or any group or association of two or more persons united for a common purpose.~~

(Omitted text is unaffected by this ordinance)

~~"Unregistrable firearm" means any firearm listed in section 8-20-170.~~

~~"Unsafe handgun" means any handgun that is listed on the superintendent's roster of unsafe handguns because, in the determination of the superintendent, the handgun is unsafe due to its size, ability to be concealed, detectability, quality of manufacturing, quality of materials, ballistic accuracy, weight, reliability, caliber, or other factors which makes the design or operation of the handgun otherwise inappropriate for lawful use.~~

"Manager", "Employee", "Range Master", "CCL", "Shooting range patron" and "Shooting range facility" have the meaning ascribed to those terms in Section 4-151-010.

~~"Violent crime" has the same meaning ascribed to that term in the Rights of Crime Victims and Witnesses Act, 725 ILCS 120/1, et seq., as amended~~

**8-20-100 Permissible sales and transfers of firearms and ammunition Sale or transfer of firearms or ammunition prohibited.**

(a) Except as authorized by subsection (e) and section 2-84-075, no firearm may be sold, acquired or otherwise transferred within the city, except through inheritance of the firearm.

(b) No ammunition may be sold or otherwise transferred within the city, except through a licensed weapons dealer, or as otherwise allowed by this code.

~~(c) No firearm or ammunition shall be security for, or be taken or received by way of any mortgage, deposit, pledge or pawn.~~

~~(d) No person may loan, borrow, give or rent to or from another person, any firearm or ammunition except in accordance with this chapter.~~

(e b) Notwithstanding subsection (a) ~~any other provision of this section~~, a peace officer may sell or transfer any lawfully held firearm or ammunition to another peace officer in accordance with the other provisions of this chapter.

(f c) Notwithstanding any other provision of this section:

(1) a licensee, range master, manager or employee of a licensed shooting range facility may sell ammunition, or provide a firearm to, a shooting range patron in compliance with Section 4-151-170; or

(2) a shooting range patron may provide a firearm to another shooting range patron for use at the shooting range when ~~the firearm is registered to the shooting range patron in compliance with the applicable provisions of this chapter~~ and both shooting range patrons have valid ~~CFP~~ and FOID cards or CCLs , if required.

#### **8-20-280 Reporting of destruction, transfer, loss or theft of firearms.**

(a) Every person who possesses a firearm within the city shall, in a manner prescribed by the superintendent: ~~(1) notify the department of the destruction, loss or theft of the firearm within 48 hours of when the person knows, or should have known, of such destruction, loss or theft; or~~

~~(2) notify the department of the sale, transfer, inheritance or other disposition of the firearm within 48 hours of such disposition.~~

(b) Compliance with this section shall be in addition to any other reporting requirements required by any local, state or federal law or regulation pertaining to lost, stolen, sold or otherwise transferred firearms.

#### **8-20-300 Violation – Penalty.**

(a) Unless the enhanced penalty imposed by subsection 8-4-355(b)(2) of this Code applies, any person who violates section ~~8-20-020, 8-20-030, 8-20-060, or 8-20-080~~ shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 20 days nor more than 90 days.

Unless the enhanced penalty imposed by subsection 8-4-355(b)(1) of this Code applies, any person who violates section ~~8-20-035, 8-20-075, 8-20-085, or 8-20-100~~ ~~8-20-110, or 8-20-280~~ shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 90 days nor more than 180 days.

(b) Unless another fine or penalty is specifically provided, any person who violates any provision of this chapter, or any rule or regulation promulgated hereunder, shall upon conviction ~~or a finding of liability~~ for the first offense, be fined not less than \$1,000.00, nor more than \$5,000.00, or be incarcerated for not less than 20 days nor more than 90 days, or both. Any subsequent conviction for a violation of this chapter shall be punishable by a fine of not less than \$5,000.00 and not more than \$10,000.00, and by incarceration for a term of not less than

30 days, nor more than six months. Each day that such violation exists shall constitute a separate and distinct offense.

~~(c) In addition to any other fine or penalty provided in this chapter, the CFP or registration certificate of any person who violates any provision of this chapter, or rule or regulation promulgated hereunder, may be revoked. Any person whose CFP is revoked shall not be eligible for a CFP for 5 years from the date of the revocation; provided that the superintendent may waive this restriction if, in the determination of the superintendent, the applicant has demonstrated that the applicant has good reason to fear injury to his person or property. Reserved.~~

(Omitted text is unaffected by this ordinance)

#### **8-24-040 Discharging toy firearms; Replica air guns.**

(a) Except as provided in subsection (c) below, no person shall at any time discharge or set off anywhere within the city, or have in his possession for such purpose any toy firearm, air rifle, or toy cannon, ~~or any gun, other than a replica air gun,~~ that discharges projectiles either by air, spring, explosive, substance, or any other force.

(Omitted text is unaffected by this ordinance)

#### **8-24-050 Hunting.**

Any person licensed to hunt under the provisions of The Illinois Wildlife Code, as amended, may hunt or kill game birds in the open season as provided by the laws of the state, within the following prescribed districts and portions of the city: upon Wolf Lake and along the shores thereof; upon Lake Calumet and along the shores thereof; and upon the Calumet River and along the banks thereof.

Provided, however, that no weapons shall be used for the purpose of hunting such birds, or killing or wounding, or attempting to kill or wound such birds, other than a firearm ~~shotgun~~, and that such ~~shotgun~~ firearm shall not be discharged anywhere within 750 feet of (1) any building or structure used or intended for human habitation or employment, or to be used as a barn or stable; or (2) the centerline of the right-of-way of Stony Island Avenue.

Any person violating any of the provisions of this section shall be fined not less than \$100.00 nor more than \$250.00.

#### **8-26-010 Definitions.**

For purposes of this chapter, the following definitions apply:

(Omitted text is unaffected by this ordinance)

“Gun offense” means a criminal conviction of any of the following offenses:

(Omitted text is unaffected by this ordinance)

- (2) Municipal Code Of Chicago:
  - ~~8-20-020 unlawful possession of handguns~~
  - ~~8-20-030 unlawful possession of long guns~~
  - ~~8-20-035 unlawful possession of unregistrable firearms~~

8-20-075 unlawful possession of an assault weapon  
8-20-100(a) unlawful sale of firearms  
8-24-010 unlawful discharge of a firearm  
~~8-24-027 disguised firearms~~

(Omitted text is unaffected by this ordinance)

“Department,” “firearm,” “CFP”, and “superintendent” have the meaning ascribed to those terms in section 8-20-010.

**SECTION 4.** Title 9 of the Municipal Code of Chicago is hereby amended by adding a new section 9-112-035, by adding the language underscored and by deleting the language struck through, as follows:

**9-108-160 Requirements for operation – Possession of weapon prohibited.**

(Omitted text is unaffected by this ordinance)

~~(b) No driver may have any deadly weapon in his possession or in or about the driver's compartment of a horse-drawn carriage while in charge of such carriage. Reserved.~~

(Omitted text is unaffected by this ordinance)

**9-112-035 Licensee to provide state law information.**

The licensee shall provide to each chauffeur operating the licensee's vehicle a summary, prepared by the commissioner, of prohibited areas for carrying concealed firearms pursuant to the section 65 of the Illinois Concealed Carry Act.

**9-112-380 Revocation of license – Grounds.**

Grounds for revocation of a license shall include, but not be limited to, the following grounds:

(Omitted text is unaffected by this ordinance)

(6) If, while operating a taxicab, a licensee shall have in the licensee's possession or under the licensee's control any illegal controlled substances, alcohol, or drugs ~~or deadly weapons;~~

(Omitted text is unaffected by this ordinance)

**9-114-200 Revocation of license – Grounds.**

Grounds for revocation of a license shall include, but not be limited to, the following:

(Omitted text is unaffected by this ordinance)

(6) If, while operating a public passenger vehicle, a licensee shall have in his possession or control any illegal controlled substances, alcohol, or drugs ~~or deadly weapons;~~

(Omitted text is unaffected by this ordinance)

**SECTION 5.** Section 10-36-030 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**10-36-030 Firearms and missiles.**

Persons are forbidden to ~~carry firearms~~ or to throw stones or other missiles within any park, public playground, bathing beach, public bath or airport of the city.

**SECTION 6.** Title 15 of the Municipal Code of Chicago is hereby amended adding the language underscored and by deleting the language struck through, as follows:

**15-28-755 Storage of hazardous materials prohibited.**

(a) Definitions. For purposes of this section, the following definitions apply:

~~“Ammunition” shall have the meaning ascribed to that term in Section 8-20-030 of this Code.~~

(Omitted text is unaffected by this ordinance)

(b) No person shall store any regulated material ~~or ammunition~~ in any self-service storage facility or any residential storage facility.

(Omitted text is unaffected by this ordinance)

**SECTION 7.** The following sections of the Municipal Code of Chicago are hereby repealed in their entirety, as shown in struck-through text, as follows:

~~**2-84-077 Firearm training.**~~

~~(a) Notwithstanding any provision of this code to the contrary, the superintendent is authorized to waive the requirement for a Chicago Firearm Permit under Section 8-20-110 for any person who has a contract with the department to provide firearm training for department members. The waiver shall be issued only under the following conditions:~~

~~(1) the person providing the training is not a resident of, nor maintains an office in, the State of Illinois;~~

~~(2) the waiver shall be for no longer than 14 calendar days;~~

~~(3) the training of the department members shall be conducted only at a department facility, or other law enforcement agency's facility, appropriate for such training; and~~

~~(4) the person receiving the waiver has expertise in firearm training, as determined by the superintendent.~~

~~(b) Subject to rules and regulations promulgated by the superintendent, a person who has a contract with the department to provide firearm training for department members shall not be in violation of Sections 8-20-020, 8-20-030, 8-20-080, 8-20-140 and 8-24-010 while the person is providing such training to the department at a department facility, or other law enforcement agency's facility, appropriate for such training.~~

~~**4-144-040 Daily report required — Sales or gifts.**~~

~~Every person dealing in the aforementioned deadly weapons shall make out and deliver to the superintendent of police every day before the hour of twelve noon, a legible and correct report of every sale or gift made under authority of his license during the preceding 24 hours, which report shall contain the date of such sale or gift, the name of the purchaser or donee with~~

~~his or her address and age, the number, kind, description and price of such weapon, the number of the purchaser's permit, and the purpose given by such person for the purchase of such weapon, which report shall be substantially in the following form:~~

- ~~Number of permit~~
- ~~Number of weapon~~
- ~~Name of purchaser~~
- ~~Address of purchaser~~
- ~~Age of purchaser~~
- ~~Kind or description of weapon~~
- ~~For what purpose purchased~~
- ~~Price~~

**4-144-050 Register required.**

~~Every person dealing in the aforementioned deadly weapons or ammunition at retail, within the city, shall keep a register of all such weapons and ammunition sold, loaned, rented or given away by him. Such register shall contain the date of the sale, loaning, renting or gift, the number of the permit, the number of the weapon, the name and age of the person to whom the weapon or ammunition is sold, loaned, rented or given, the quantity of ammunition, the price of each item, and the purpose for which it is purchased or obtained. The said register shall be in the following form (see diagram for Section 4-144-050). Such register shall be kept open for the inspection of the police at all reasonable times during business hours.~~

Diagram for Section 4-144-050								
<del>Date of sale</del>	<del>Number of superintendent of police permit</del>	<del>Number of weapon</del>	<del>To whom sold, loaned, rented, or given</del>	<del>Age of purchaser or person obtaining weapon</del>	<del>Kind and description of weapon or ammunition</del>	<del>Quantity of ammunition</del>	<del>For what purpose purchased or obtained</del>	<del>Price</del>

**4-144-061 Sale of certain handgun ammunition prohibited.**

~~Except as allowed by section 8-20-100(e), it shall be unlawful for any person to sell, offer for sale, expose for sale, barter or give away to any person within the city, any armor piercing or .50 caliber ammunition.~~

**4-144-062 Sale of ammunition to minors prohibited.**

~~No person licensed under this chapter shall sell or otherwise transfer any ammunition to a person who is under the age of 18.~~

**4-144-065 Sale of metal piercing bullets.**

~~No person licensed under this chapter shall sell, offer for sale, expose for sale, barter, give away or otherwise transfer any metal piercing bullets, as that term is defined in section 8-20-010.~~

~~4-144-130 Report required — Repairs.~~

~~Every person licensed under this chapter shall prepare and submit to the superintendent of police on a weekly basis a legible and correct report of each firearm received for repair during the preceding week, which report shall contain the date, name, physical description, age, address and occupation of the owner of such firearm, the type of weapon, its make, and the serial number and bore length of such weapon, which report shall be substantially in the following form:~~

~~Date  
Name of owner  
Physical description of owner  
Age of owner  
Address of owner  
Occupation of owner  
Type of weapon  
Make of weapon  
Serial number  
Bore and length of weapon~~

~~4-144-170 Daily report required.~~

~~Every person licensed under this chapter shall make out and deliver to the superintendent of police every day, before the hour of twelve noon, a legible and correct report of every sale or gift made under authority of said license to sell the kind of weapons or other articles named in Section 4-144-140 during the preceding 24 hours, which report shall contain the date of such sale or gift, the name of the purchaser or donee with his or her address and age, the number, kind, description and price of such weapon or other article, the number of the purchaser's permit, and the purpose for the purchase of such weapon or other article, which report shall be substantially in the following form:~~

~~Number of permit  
Number of weapon or article  
Name of purchaser  
Address of purchaser  
Age of purchaser  
Kind or description of weapon or other article  
For what purpose purchased  
Price~~

**ARTICLE II. POSSESSION OF FIREARMS**

~~8-20-020 Unlawful possession of handguns.~~

~~(a) It is unlawful for any person to carry or possess a handgun, except when in the person's home.~~

~~(b) The provisions of this section shall not apply to:~~

- ~~(1) peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while assisting such officer;~~
- ~~(2) corrections officers while in the performance of their official duty, or while commuting between their homes and places of employment;~~
- ~~(3) members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty;~~

- ~~(4) security personnel;~~
- ~~(5) persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Illinois Department of Professional Regulation;~~
- ~~(6) persons regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while in the performance of their duties or traveling between sites or properties belonging to the employer, and who, as a security guard, is registered with the Illinois Department of Professional Regulation;~~
- ~~(7) persons employed by a financial institution for the protection of other employees and property related to such financial institution, while in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution;~~
- ~~(8) persons employed by an armored car company to drive an armored car, while in the performance of their duties;~~
- ~~(9) persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act;~~
- ~~(10) investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act;~~
- ~~(11) special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code;~~
- ~~(12) probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed;~~
- ~~(13) court security officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the sheriff;~~
- ~~(14) persons employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who have completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission;~~
- ~~(15) duly authorized military or civil organizations while parading, with the special permission of the Governor;~~
- ~~(16) persons engaged in the manufacture, transportation, or sale of firearms to persons authorized under this subsection to possess those firearms;~~
- ~~(17) a person while engaged in the lawful transportation of a firearm;~~
- ~~(18) a licensee, range master, manager or employee of a licensed shooting range facility, or a shooting range patron of a licensed shooting range facility, while at the licensed shooting range facility; provided that the firearm is registered and the licensee, range master, manager, employee or shooting range patron, if required to do so, has a valid CFP and FOID card, or the shooting range patron is receiving the one-hour range training in compliance with Section 8-20-110(f).~~

**~~8-20-030 Unlawful possession of long guns.~~**

~~(a) It is unlawful for any person to carry or possess a long gun, except when in the person's home or fixed place of business.~~

~~(b) The provisions of this section shall not apply to:~~

~~(1) any person listed in section 8-20-020(b); or~~

~~(2) any duly licensed hunter who has a valid FOID card, a CFP and firearm registration certificate, while engaged in hunting in an area where hunting is permitted.~~

#### **8-20-035 Unlawful possession of unregistrable firearms.**

~~(a) It is unlawful for any person to carry or possess any unregistrable firearm.~~

~~(b) The provisions of this section shall not apply to corrections officers, members of the armed forces of the United States, or the organized militia of this or any other state, and peace officers, to the extent that any such person is otherwise authorized to acquire or possess assault weapons, and is acting within the scope of his duties, or to any person while engaged in the manufacturing, transportation or sale of assault weapons to people authorized to possess them under this section.~~

~~(c) Notwithstanding the provisions of subsection (a), those firearms listed in section 8-20-170(a) may be possessed and used by the department for training and tactical operation, as authorized by the superintendent.~~

~~(d) Any firearm carried or possessed in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.~~

#### **8-20-040 Firearms kept or maintained in a home.**

~~Subject to section 8-20-050, every person who keeps or possesses a firearm in his home shall keep no more than one firearm in his home assembled and operable. If more than one person in the home has a valid CFP and registration certificate, each person with a valid CFP and registration certificate is entitled to have one such firearm assembled and operable in the home. All other firearms kept or possessed by that person in his home shall be broken down in a nonfunctioning state or shall have a trigger lock or other mechanism, other than the firearm safety mechanism, designed to render the firearm temporarily inoperable.~~

~~The provisions of this section shall not apply to peace officers.~~

#### **8-20-080 Possession of ammunition.**

~~(a) It is unlawful for any person to carry or possess any ammunition in the city, unless the person:~~

~~(1) has a valid CFP and registration certificate for a firearm of the same gauge or caliber as the ammunition possessed, and while in possession of the ammunition, has the CFP and registration certificate in his possession when he is not in his home, or, when he is in his home, has the CFP and registration certificate readily available in his home;~~

~~(2) is a licensed weapons dealer;~~

~~(3) is a person listed in section 8-20-020(b); or~~

~~(4) is a shooting range patron, licensee, range master, manager or employee of a licensed shooting range facility, and the ammunition is possessed or stored at and for use at the licensed shooting range facility.~~

~~(b) Any ammunition carried or possessed in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.~~

~~**8-20-090 Interstate transportation of firearms.**~~

~~It shall not be a violation of this chapter if a person transporting a firearm or ammunition while engaged in interstate travel is in compliance with 18 U.S.C.A. § 926A. There shall be a rebuttable presumption that any person within the city for more than 24 hours is not engaged in interstate travel, and is subject to the provisions of this chapter.~~

~~**ARTICLE III. PERMITS FOR AND REGISTRATION OF FIREARMS**~~

~~**8-20-110 CFP—Required.**~~

~~(a) Subject to subsection (d), it is unlawful for any person to carry or possess a firearm without a CFP.~~

~~(b) No CFP application shall be approved unless the applicant:~~

~~(1) is 21 years of age or older; provided that an application of a person 18 years or older but less than 21 may be approved if the person has the written consent of his parent or legal guardian to possess and acquire a firearm or firearm ammunition; provided that such parent or legal guardian is not an individual prohibited from having a FOID or CFP, and that the parent files an affidavit with the department attesting that the parent is not an individual prohibited from having a FOID or CFP;~~

~~(2) possesses a valid Illinois FOID;~~

~~(3) has not been convicted by a court in any jurisdiction of:~~

~~(i) a violent crime that is a felony, or within the past five years a violent crime that is a misdemeanor; or~~

~~(ii) two or more offenses for driving under the influence of alcohol or other drugs.~~

~~(4) has vision better than or equal to that required to obtain a valid driver's license under the standards established by the Illinois Vehicle Code;~~

~~(5) is not otherwise ineligible to possess a firearm under any federal law; or~~

~~(6) has not been convicted, adjudicated, admitted to, or found liable for a violation of section 8-20-060 or 8-20-100.~~

~~(c) Each CFP issued shall be accompanied by a copy of this ordinance.~~

~~(d) Any person who has a valid firearm registration certificate issued before the effective date of this 2010 ordinance shall be exempted from acquiring a CFP until the expiration of the registration certificate; provided that upon the expiration of the registration certificate, the person shall be required to obtain a CFP. Any such person who has submitted an application for a CFP prior to or on the date of the expiration of his current registration certificate shall be deemed to be in compliance with the requirement for a CFP while his application is pending.~~

~~(e) The provisions of this section shall not apply to any person listed in section 8-20-020(b)(1) — (16) or a person engaged in interstate travel in compliance with section 8-20-090.~~

~~(f) Notwithstanding any other provision of this section, a CFP shall not be required of a shooting range patron at a licensed shooting range facility while the shooting range patron is receiving the one-hour range training in compliance with this section. This exception only~~

applies for a one-time one-hour period while the shooting range patron is receiving the range training portion of the required firearm safety and training course.

~~(g) Notwithstanding any other provision of this section, a CFP shall not be required of a business entity that is a licensee of a licensed shooting range facility in order for that business entity to possess firearms owned by the licensee and the firearms are used solely at that shooting range facility; provided that if the license for a shooting range facility was issued to a natural person, then the natural person shall be required to have a CFP.~~

#### ~~8-20-120 CFP—Application.~~

~~(a) An applicant for a CFP shall submit an application to the superintendent on a form or in a manner prescribed by the superintendent. The application shall include the following:~~

- ~~(1) name, residential address and telephone number of the applicant;~~
- ~~(2) the applicant's date of birth and sex;~~
- ~~(3) the applicant's Illinois firearm owner's identification number and a copy of the applicant's FOID card;~~
- ~~(4) evidence that the applicant meets the criteria of section 8-20-110;~~
- ~~(5) two identical photographs of the applicant taken within 30 days immediately prior to the date of filing the application, equivalent to passport size, showing the full face, head and shoulders of the applicant in a clear and distinguishing manner;~~
- ~~(6) the applicant's Illinois driver's license number and a copy of the applicant's driver's license or Illinois identification card;~~
- ~~(7) an affidavit signed by a firearm instructor certified by the State of Illinois to provide firearm training courses attesting that the applicant has completed a firearm safety and training course, which, at a minimum, provides one hour of range training and four hours of classroom instruction that is in compliance with the requirements of the classroom instruction course, as established in rules and regulations; and~~
- ~~(8) any other information as the superintendent shall find reasonably necessary to effectuate the purpose of this chapter and to arrive at a fair determination as to whether the terms of this chapter have been complied with.~~

~~The superintendent shall be the custodian of all applications for CFPs under this chapter.~~

~~(b) The applicant shall submit to fingerprinting in accordance with procedures established in rules and regulations promulgated by the superintendent.~~

~~(c) For an application for a CFP submitted within 180 days of the effective date of this 2010 ordinance, the superintendent shall either approve or deny such application no later than 120 days after the date the application is submitted, unless good cause is shown. For an application for a CFP submitted thereafter, the superintendent shall either approve or deny an application within 45 days from the date the application is submitted, unless good cause is shown. An application shall not be deemed submitted until the applicant provides all the required information or documentation.~~

~~(d) All CFPs issued by the superintendent shall contain the applicant's name, date of birth, sex, and signature. Each CFP shall have the expiration date boldly and conspicuously displayed on the face of the CFP.~~

#### ~~8-20-130 CFP card—Fee and expiration.~~

~~(a) A CFP card shall expire 3 years after the date of issuance.~~

~~(b) The fee shall be \$100.00.~~

~~(c) The CFP fee shall not be applicable to any resident of the city who is a retired department police officer.~~

**~~8-20-140 Firearm registration certificate — Required.~~**

~~(a) Subject to subsection (d), it is unlawful for any person to carry or possess a firearm without a firearm registration certificate.~~

~~(b) No application for a registration certificate shall be approved unless the applicant has been issued a valid CFP; provided no CFP shall be required for the issuance of a registration certificate if the person is an exempt person pursuant to section 8-20-110(e) or 8-20-110(g).~~

~~(c) (1) Except as provided in subsection (c)(2), an applicant shall submit an application to the superintendent on a form or in a manner prescribed by the superintendent. The application shall include the following:~~

~~(A) name, telephone number and the address at which the firearm shall be located;~~

~~(B) a copy of the applicant's CFP and Illinois FOID card;~~

~~(C) the name of the manufacturer, the caliber or gauge, the model, type and the serial number identification of the firearm to be registered;~~

~~(D) the source from which the firearm was obtained;~~

~~(E) the address at which the firearm will be located;~~

~~(F) if an antique firearm, the year of manufacture of the firearm;~~

~~(G) the date the firearm was acquired; and~~

~~(H) any other information the superintendent may reasonably require as necessary to effectuate the purpose of this chapter and to arrive at a fair determination as to whether the terms of this chapter have been complied with.~~

~~(2) If the application for a registration certificate is made by a licensee of a licensed shooting range facility and the applicant is not a natural person, the application shall be submitted to the superintendent by the manager on a form and in a manner prescribed by the superintendent. The application shall be signed by the manager and include the following information:~~

~~(A) name, telephone number and the address of the licensee of the licensed shooting range facility;~~

~~(B) the name, address and telephone number of the licensed shooting range facility at which the firearm shall be located;~~

~~(C) a copy of the manager's CFP and Illinois FOID card; and~~

~~(D) the information required in subsections (c)(1)(C)–(H).~~

~~The registration certificate shall be issued in the business entity's name and be kept on file at all times at the licensed shooting range facility, except when the firearm is being legally transported in compliance with applicable laws.~~

~~The superintendent shall be the custodian of all applications for registration certificates under this chapter.~~

~~(d) (1) Subject to subsection (d)(2), an application for a registration certificate shall be submitted no later than 5 business days after a person takes possession within the city of a firearm from any source; provided that any applicant who has submitted a complete application within the required 5 business days shall be considered in compliance with this subsection until his registration certificate is either approved or denied.~~

~~(2) Notwithstanding any provision of this chapter to the contrary, a person has 90 days after the effective date of this 2010 ordinance to register a firearm, including a handgun, which had not been previously registered; provided that the person and firearm meet all the requirements of this ordinance.~~

~~(e) For an application for a firearm registration certificate submitted within 180 days after the effective date of this 2010 ordinance, the superintendent shall either approve or deny such application no later than 45 days after the date the application is submitted. For an application for a firearm registration certificate submitted thereafter, the superintendent shall either approve or deny the application within 21 days of the submission of the application, unless good cause is shown. An application shall not be deemed submitted until the applicant provides all the required information or documentation.~~

~~(f) The provisions of this section shall not apply to:~~

~~(1) firearms owned or under the direct control or custody of any federal, state or local governmental authority maintained in the course of its official duties;~~

~~(2) duty-related firearms owned and possessed by peace officers who are not residents of the city;~~

~~(3) duty-related firearms owned or possessed by corrections officers and who are not residents of the city;~~

~~(4) firearms owned, manufactured or possessed by licensed manufacturers of firearms, bulk transporters or licensed sellers of firearms at wholesale or retail, provided that such persons have federal firearms license;~~

~~(5) any nonresident of the city participating in any lawful recreational firearm-related activity in the city, or on his way to or from such activity in another jurisdiction; provided that such firearm shall be (i) broken down in a nonfunctioning state; (ii) not immediately accessible; and (iii) unloaded and in a firearm case;~~

~~(6) persons licensed as private security contractors, security guards, private detectives, or private alarm contractors, or employed by an agency certified as such by the Department of Professional Regulation;~~

~~(7) duty-related firearms of investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act;~~

~~(8) duty-related firearms of special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code;~~

~~(9) firearms being transported by a person engaged in interstate travel in compliance with section 8-20-090; or~~

~~(10) those persons summoned by a peace officer to assist in making an arrest or preserving the peace while actually engaged in assisting the peace officer.~~

~~(g) Each registration certificate issued shall contain a unique registration certificate number, the person's name, the address at which the firearm will be located, and any other information the superintendent deems necessary to identify the person and the firearm.~~

~~(h) Notwithstanding any other provision of this section, a shooting range patron at a licensed shooting range facility who is provided a firearm by another shooting range patron, or by a licensee, range master, manager or employee of a licensed shooting range facility shall be in compliance with this section if the firearm is registered to the shooting range patron providing the firearm or to the person issued a license for the shooting range facility.~~

**~~8-20-145 Registration certificates — Expiration.~~**

~~(a) A registration certificate issued prior to the effective date of this 2010 ordinance shall remain in effect until its expiration.~~

~~(b) For registration certificates issued after the effective date of this 2010 ordinance, a registration certificate shall expire on the same date as the date of the expiration of the CFP issued to that person. For registration certificates issued to a licensee of a licensed shooting range facility and the licensee is not a natural person, the registration certificate shall expire three years after the date of issuance.~~

~~(c) A person shall file an annual registration report with the superintendent on a form, and in a manner, prescribed by the superintendent. The annual registration report shall set forth such information as required by the superintendent in rules and regulations. If a person has multiple registration certificates, the superintendent may align the dates for the annual registration reports to the same reporting date and combine such annual registration reports into one report. Failure to file an annual registration report may result in revocation of a person's CFP or registration certificate, and may cause that firearm to become unregistrable to that person.~~

**~~8-20-150 Application fees.~~**

~~(a) A nonrefundable application fee of \$15.00 shall be payable for each firearm registered. The fee shall accompany each initial application for a registration certificate.~~

~~(b) Any person who files an annual registration report late shall pay a late filing fee of \$60.00.~~

~~(c) The application fee shall not be applicable to:~~  
~~(1) any duty-related firearm of a peace officer domiciled in the city, or~~  
~~(2) any duty-related firearm that was registered to that retired department police officer at the time of the his separation from active duty in the department.~~

**~~8-20-160 Restrictions on issuance of registration certificates.~~**

~~(a) Subject to subsections (b) and (c), the superintendent shall issue no more than one firearm registration certificate to a person for a handgun during any 30-day period; provided that the superintendent may permit a person first becoming a city resident to register more than one handgun if those handguns were lawfully owned in another jurisdiction for a period of 6 months prior to the date of application.~~

~~(b) In addition to a registration certificate for a handgun pursuant to subsection (a), an applicant may be issued a registration certificate for:~~

- ~~(1) any firearm possessed by an applicant that was lawfully registered on the date of the enactment of this ordinance;~~
- ~~(2) any long gun which is eligible to be registered; or~~
- ~~(3) any antique firearm, including antique handguns.~~

The burden of proving that a firearm is an antique firearm shall be on the applicant.

~~(c) In addition to a registration certificate for a handgun pursuant to subsection (a), a retired department police officer may be issued a registration certificate for each duty-related handgun that was registered to that retired department police officer at the time of the his separation from active duty in the department.~~

~~(d) Notwithstanding subsection (a), the superintendent is authorized to issue more than one firearm registration certificate during any 30-day period to a licensee of a licensed shooting range facility for handguns when the handguns are owned by the licensee and are for use solely at the licensed shooting range facility.~~

#### **~~8-20-180 CFP and registration certificate—General provisions.~~**

~~(a) After issuance of a CFP or a registration certificate to a person, the person shall examine the CFP or registration certificate to insure that the information thereon is correct. If the information is incorrect in any respect, the person shall return it to the superintendent with a signed statement showing the nature of the error. The superintendent shall correct the error if it occurred as a result of the superintendent's administrative process.~~

~~In the event that the error resulted from incorrect information contained in the application, the person shall submit an amended application setting forth the correct information and a statement explaining the error in the original application.~~

~~(b) A CFP and the registration certificate shall be valid only for the person to whom it was issued.~~

~~(c) A registration certificate shall only be valid for the address on the registration certificate. A person shall not carry or possess any firearm at any location other than that authorized by the registration certificate; provided this provision shall not apply to:~~

~~(1) the lawful transportation of a firearm;~~

~~(2) the lawful possession or storage of firearms at a licensed shooting range facility;~~

~~(3) the lawful possession of firearms, other than firearms for personal use, by a person listed in Section 8-20-020(b) while in compliance with that section.~~

~~(d) A CFP or registration certificate shall not be subject to sale, assignment, or transfer, voluntary or involuntary.~~

~~(e) Any application for a CFP or a registration certificate shall be held in abeyance when there is a criminal proceeding for a violent crime, or an offense involving a weapon, or a proceeding to deny or revoke a CFP or firearm registration certificate pending against the person, until such proceeding has terminated.~~

#### **~~8-20-185 Additional duties.~~**

~~(a) Every person issued a CFP or a firearm registration certificate, in addition to any other requirements of this code, shall notify the department in a manner prescribed by the superintendent of:~~

~~(1) the loss, theft or destruction of the CFP or registration certificate within 72 hours of the discovery of such loss, theft, or destruction; and~~

~~(2) a change in any of the information appearing on the CFP or firearm registration certificate within 72 hours of such change.~~

~~(b) Every person issued a CFP or a firearm registration certificate, in addition to any other requirements of this code, shall:~~

- ~~(1) immediately return to the superintendent his copy of the registration certificate for any firearm which is lost, stolen, destroyed or otherwise disposed of; and~~
- ~~(2) keep all information current. Any change in required information shall be reported, on a form and in manner prescribed by the superintendent, within 24 hours after the change.~~

#### **~~8-20-190 Denials and revocations.~~**

~~(a) An application for a CFP or a registration certificate shall be denied for any of the following reasons:~~

- ~~(1) any of the eligibility criteria of this chapter are not currently met;~~
- ~~(2) the firearm is an unregisterable firearm;~~
- ~~(3) the information furnished on or in connection with the application for a CFP or a registration certificate is false or misleading; or~~
- ~~(4) the person fails to respond to any additional information, or investigation inquiries, requested by the superintendent regarding any application.~~

~~(b) A registration certificate shall be revoked:~~

- ~~(1) when the firearm becomes an unregisterable firearm; or~~
- ~~(2) if the CFP of the person was revoked.~~

~~(c) A CFP shall be revoked if any of the eligibility criteria of this chapter are not currently met.~~

~~(d) A CFP or registration certificate may be denied or revoked for a violation of this chapter, or any rules or regulations promulgated hereunder.~~

~~(e) The CFP and all registration certificates of any person convicted of a felony after the issuance of a CFP or registration certificate to that person shall be automatically revoked by operation of law, without a further hearing. The person shall immediately dispose of all firearms by:~~

- ~~(i) peaceably surrendering to the department all firearms for which a registration certificate was issued;~~
- ~~(ii) removing such firearm from the city; or~~
- ~~(iii) otherwise lawfully disposing of his interest in such firearm.~~

~~The person shall submit to the superintendent evidence of the disposition of any such firearm in accordance with rules and regulations promulgated by the superintendent.~~

#### **~~8-20-200 Procedure for denial.~~**

~~(a) If an application for a CFP or a registration certificate is denied by the superintendent, the superintendent shall notify the person making such application, in writing, of the denial. The notice of denial shall:~~

- ~~(1) set forth the basis of the denial;~~

~~(2) include a statement that within ten days of the notice of denial, the person is entitled to request a hearing, in person and in writing, at the department of administrative hearings;~~

~~(3) include a statement that the person is entitled to appear at the hearing to testify, present documents, including affidavits, and any other evidence to contest the denial;~~

~~(4) include a statement that if the person fails to request a hearing within ten days, the person is deemed to have conceded the validity of the reason stated in the notice and the denial shall become final;~~

~~(5) include a certificate of service; and~~

~~(6) include an oath or affirmation by the superintendent certifying the correctness of the facts set forth in the notice of denial.~~

~~(b) The person, within ten days after notice is sent of the denial, may file with the department of administrative hearings a request for a hearing. Such hearing request shall be made in person, and in writing, at the department of administrative hearings. An administrative law officer of the department of administrative hearings shall conduct such hearing within 72 hours of the request, excluding Saturdays, Sundays, and legal holidays.~~

~~(c) The department of administrative hearings shall conclude the hearing no later than 7 days after the commencement of the hearing.~~

~~(d) Based upon the evidence contained in the record, an administrative law officer of the department of administrative hearings shall, within 5 days of the conclusion of the hearing, issue written findings and enter an order granting or denying the application. A copy of the findings and order shall be served upon the person and all parties appearing or represented at the hearing.~~

~~(e) If the person does not request a hearing within ten days after the notification of the denial is sent, the person shall be deemed to have conceded the validity of the reason stated in the notice and the denial shall become final.~~

~~(f) Within three days after all the time for hearings or appeals has expired, the person shall:~~

~~(1) peaceably surrender to the department the firearm for which the registration certificate was denied;~~

~~(2) remove such firearm from the city; or~~

~~(3) otherwise lawfully dispose of his interest in such firearm.~~

~~The person shall submit to the superintendent evidence of the disposition of any such firearm in accordance with rules and regulations promulgated by the superintendent.~~

#### **~~8-20-205 Procedure for revocation.~~**

~~(a) Except in cases where a CFP or registration certificate is automatically revoked pursuant to section 8-20-190(e), if, in the determination of the superintendent, a CFP or a registration certificate should be revoked, he shall notify the person whose CFP or registration certificate is the subject of such revocation, in writing, of the proposed revocation. The notice shall:~~

~~(1) set forth the basis for the revocation;~~

~~(2) specify the location, date, and time for a hearing on the revocation;~~

~~(3) include a statement that the person is entitled to appear at the hearing to testify, present documents, including affidavits, and any other evidence to contest the proposed revocation;~~

~~(4) include a statement that failure of the person to appear at the hearing may include an entry of an order revoking the person's CFP or registration certificate;~~

~~(5) include a certificate of service; and~~

~~(6) include an oath or affirmation by the superintendent certifying the correctness of the facts set forth in the notice.~~

~~(b) The department of administrative hearings shall convene the hearing at the location and on the date and time specified in the revocation notice.~~

~~(c) Based upon the evidence contained in the record, an administrative law officer of the department of administrative hearings shall, within 5 days of the conclusion of the hearing, issue written findings and enter an order granting or denying the proposed revocation. A copy of the findings and order shall be served upon the person and all parties appearing or represented at the hearing.~~

~~(d) Within three days after notification of a decision unfavorable to the person, and all time for appeals has expired, the person shall:~~

~~(1) for revocation of a registration certificate:~~

~~(i) peaceably surrender to the department the firearm for which the registration certificate was revoked;~~

~~(ii) remove such firearm from the city; or~~

~~(iii) otherwise lawfully dispose of his interest in such firearm.~~

~~(2) for revocation of a CFP, dispose of all firearms in accordance with subsection~~

~~(d)(1).~~

~~The person shall submit to the superintendent evidence of the disposition of any such firearm in accordance with rules and regulations promulgated by the superintendent.~~

~~(e) In cases where a CFP or registration certificate is automatically revoked pursuant to section 8-20-190(e), the superintendent shall notify the person of the automatic revocation of the person's CFP or registration certificate. Within three days after notification of the automatic revocation, the person may file with the department of administrative hearings a request, in writing, for a hearing on the sole issue of identity and whether he was the person so convicted. It shall be a rebuttable presumption that the person whose CFP or registration certificate was automatically revoked is the same person who was convicted of a felony.~~

~~An administrative law officer of the department of administrative hearings shall conduct such hearing within 5 days of the request for a hearing.~~

~~Based upon the evidence contained in the record, an administrative law officer of the department of hearings shall, within 5 days of the conclusion of the hearing, issue written findings as to sole issue of the identity of the person. A copy of the findings and order shall be served upon the person and all parties appearing or represented at the hearing.~~

~~If the person does not request a hearing within three days after the notification, the person shall be deemed to have conceded the validity of the identification.~~

**~~8-20-210 Automatic revocation of registration certificates.~~**

~~If, after a hearing, a CFP issued to a person is revoked, all firearm registration certificates issued to that person shall automatically be revoked and the person shall comply with section 8-20-205(d) for disposition of the firearms.~~

**ARTICLE IV. MISCELLANEOUS PROVISIONS.**

**~~8-20-220 False information — Forgery — Alteration.~~**

~~(a) It is unlawful for any person purchasing any firearm or ammunition, or applying for any CFP or registration certificate, or, in giving any information pursuant to the requirements of this chapter, to knowingly give false information or offer false information or evidence of identity.~~

~~(b) It is unlawful for any person to forge or materially alter any application for a CFP or firearm registration certificate.~~

~~(c) It is unlawful for any person to forge or materially alter a CFP or a firearm registration certificate.~~

~~(d) It is unlawful for any person to knowingly possess a forged or materially altered CFP or firearm registration certificate.~~

~~(f) It is unlawful for any person to knowingly make any false statement, submit any false information or misrepresent any information required in this chapter.~~

**~~8-20-230 Notice.~~**

~~For the purposes of this chapter, service of any notice, finding or decision upon a person shall be completed by any of the following methods by:~~

~~(a) personal delivery of a copy of such notice, finding or decision to the person;~~

~~(b) leaving a copy of such notice, finding or decision at the address identified on the application for a CFP or registration certificate; or~~

~~(c) mailing, by first class mail, a copy of the notice, finding or decision to the address identified on the application for a CFP or registration certificate, in which case service shall be complete as of the date the notice was mailed.~~

**~~8-20-240 Posting of unsafe handguns.~~**

~~(a) The superintendent shall post on the department's web site the roster of unsafe handguns.~~

~~(b) No less than 10 days prior to placing any handgun on the roster of unsafe handguns, the superintendent shall post on the department's web site the type or model of the handgun that will be placed on the roster.~~

**~~8-24-027 Disguised firearms prohibited.~~**

~~(a) No person shall purchase, acquire, sell, offer or expose for sale, or possess any firearm that is designed, constructed, modified or disguised to resemble any other object.~~

~~(b) Any person who violates subsection (a) of this section shall be incarcerated for not less than 30 days and not more than 180 days for each offense. Each day of a continuing violation, and each purchase, acquisition, sale, offering or exposing for sale, or possession of a different firearm described in subsection (a) shall constitute a separate and distinct offense.~~

~~(c) Nothing in this section suspends, repeals or alters any other provision of this Code which limits, restricts or prohibits the purchase, acquisition, sale, offering or exposure for sale, or possession of a firearm.~~

**~~9-104-120 Deadly weapons.~~**

~~It is unlawful for any chauffeur while in charge of a public passenger vehicle to have any deadly weapon in his possession or in or about the driver's compartment of said vehicle.~~

**~~15-20-060 Small arms ammunition.~~**

~~(a) Less than 500 pounds of small arms ammunition may be stored in buildings other than a magazine. If over 50 pounds of small arm ammunition is stored in a building, then a netting, having no larger than one-fourth inch mesh, supported by iron or heavy wooden uprights, shall surround the storage area.~~

~~(b) When 500 pounds or more of small arms ammunition is stored in a building, the small arms ammunition shall be stored in a separate enclosed area that is secure and equipped with an automatic sprinkler system.~~

~~(c) For purposes of this section, "small arms ammunition" means any self-contained cartridge less than .50 caliber, shotshell cartridge cases, primers, bullets, or smokeless propellants designed for use in small arms, including percussion caps, and 3/32 inch and other external burning pyrotechnic hobby fuses. The term "small arms ammunition" does not include black powder.~~

**SECTION 8.** Chapter 4-144 of the Municipal Code is hereby amended by adding a new Article V, sections 4-144-300 through and including 4-144-380, as follows:

**ARTICLE V Professional Theatrical Armorers.**

**4-144-300 Definitions.**

For purposes of this Article, the following definitions apply:

(a) "FOID" has the same meaning ascribed to that term in section 8-20-010.

(b) "Professional theatrical armorer" means a person who:

(1) is a licensed manufacturer, licensed importer, or licensed dealer under Chapter 44 of Title 18, United States Code;

(2) has been issued a federal firearms license for a location within the city;

(3) is registered under section 5802 of the National Firearms Act of 1934; and

(4) derives not less than 80 percent of the business revenue from the use of firearms for a professional theatrical purpose, or has been a federal firearms licensee engaged in the business of manufacturing, importing, possessing, loaning or renting theatrical props for purposes of distribution, loan or rental for a professional theatrical purpose for not less than 3 years prior to the date of application.

(c) "Professional theatrical purpose" means the use of a theatrical prop by a professional theatrical armorer, or by a person recognized under federal law as having the authority to maintain dominion and control over such theatrical props for the armorer, in a motion picture, live professional theatre, television production, or a production made solely for digital media.

(d) "Superintendent" means the superintendent of police.

(e) "Theatrical prop" means: (1) any blank ammunition, ammunition feeding device, or firearm modified or adapted to fire blank ammunition, or any component thereof; or (2) any other non-firearm dangerous or deadly weapon prohibited under the Municipal Code.

**4-144-310 License required.**

It shall be unlawful for any person to engage in the business of a professional armorer without securing a weapons dealer license so to do.

Notwithstanding any provision of the code to the contrary, a professional theatrical armorer may import, manufacture, possess, transfer, loan or rent theatrical props solely for a theatrical purpose.

**4-144-320 Application – Additional information required.**

(a) In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a deadly weapons license to engage in the business of a professional armorer shall be accompanied by the following information:

- (1) the length of time the applicant has been in a business;
- (2) the location and description of the proposed licensed premises;
- (3) the name and address of the owner of the premises. If the premises are leased, the name, address and telephone number of the owner of the premises;
- (4) a copy of the applicant's federal firearm license;
- (5) a copy of the applicant's FOID card, if required to have one;
- (6) a safety plan approved by the superintendent; and
- (7) any other information that the commissioner or the superintendent may require to implement this Article.

**4-144-330 License issuance and renewal.**

A license or a renewal of a license issued under this Article shall be denied or revoked for any of the following reasons:

(a) The applicant's license under this Article, or any other license for the manufacture, use or possession of firearms, has been revoked for cause.

(b) A license issued under this Article for the location described in the application has been revoked for any cause within one year of the date of the application.

(c) The applicant makes any false, misleading or fraudulent statement or misrepresents any fact in the license application, or uses any scheme or subterfuge for the purpose of evading any provision of this chapter.

(d) The applicant or licensee at the time of application or renewal of any license issued pursuant to this chapter would not be eligible for such license upon a first application.

**4-144-340 Department duties.**

(a) The commissioner shall forward any application for a deadly weapons license to engage in the business of a professional armorer to the police and fire departments.

(b) The commissioner shall have the authority to promulgate rules and regulations necessary to implement this Article.

(c) The superintendent shall have the authority to promulgate rules and regulations necessary to implement this Article relating to the safety plan, the safe storage and handling of the theatrical props, and any other restriction, including restrictions on the type or caliber of theatrical props used, which the superintendent deems necessary for public safety.

**4-144-350 Legal duties.**

(a) Every licensee shall obtain and keep current at all times throughout the duration of the license period, liability insurance for the operation of the premises described in such application or license in the aggregate amount of \$1,000,000.00, issued by an insurer authorized to insure in Illinois. The insurance policy required by this section shall be for a term of at least 12 months, and shall be co-extensive with the first 12 months of the applicable license period. Thereafter, the licensee shall continue to maintain such insurance policy in full force and effect for the duration of the two-year license period. The licensee shall keep proof of the required insurance at the licensed premises at all times and, upon demand, shall produce such proof for inspection by an authorized city official. Each policy of insurance required under this section shall include a provision requiring 30 days' advance notice to the commissioner prior to termination or lapse of the policy. Failure to comply with this section shall be grounds for the suspension or revocation of the license for a single offense in accordance with Section 4-4-280 of this Code.

(b) Comply with a safety plan, approved by the superintendent. Such plan shall include provisions that address: (i) the installation and maintenance of adequate exterior lighting; (ii) the installation and maintenance of interior and exterior surveillance cameras installed at each building; (iii) the installation of an alarm system; (iv) protocols for the safe display of and storage of firearms and ammunition; and (v) the employment of adequately trained personnel; all in accordance with rules prescribed by the superintendent. Recordings from the surveillance camera required by clause (ii) shall be maintained for not less than 30 days and shall be made available to members of the department of police. Notwithstanding any other ordinance to the contrary, the city shall not impose a fee for any surveillance camera installed pursuant to this section solely because the camera or its wiring is in any portion of the public way.

(c) The licensed premises shall be open at all reasonable times for inspection by the departments of buildings, police, business affairs and consumer protection, and fire.

**4-144- 360 Operating without a license.**

In addition to any other applicable fine or penalty, any person who engages in the business of a professional armorer without first having obtained the required license shall be subject to a fine of not less than \$3,000.00 nor more than \$5,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

**4-144- 380 Penalty.**

In addition to any other penalty provided by law, any person who violates any provision of this Article, or any rule or regulation promulgated thereunder, shall be subject to a fine of not less than \$1,500.00 nor more than \$3,000.00 for each offense, or incarceration for a period not to exceed six months, or both. Each day that such violation exists shall constitute a separate and distinct offense.

**SECTION 9.** Chapter 17 of the Municipal Code is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**17-3-0207 Use Table and Standards.**

USE GROUP		Zoning Districts					Use Standard	Parking Standard
Use Category		B1	B2	B3	C1	C2		
Specific Use Type								
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed								
<b>RESIDENTIAL</b>								
A. Household Living								
1.	Artist Live/Work Space located above the ground floor	P	P	P	P	P	-	§ 17-10-0207-C

*(Omitted text is unaffected by this ordinance)*

<b>INDUSTRIAL</b>								
UU. Manufacturing, Production and Industrial Services								
1.	Artisan	-	-	-	P	P	P	§ 17-10-0207-U
2.	Limited (catering & shared kitchen only)	-	-	P	P	P	P	§ 17-10-0207-U
3.	Limited	-	-	-	P	P	P	§ 17-10-0207-U
4.	General (laundry/dry cleaning plant; maximum 2 employees)	-	-	P	P	P	P	§ 17-10-0207-U
5.	General (laundry or dry cleaning plant only)	-	-	-	P	P	P	§ 17-10-0207-U
6.	<u>Professional Theatrical Armorer</u>	-	-	-	-	<u>P</u>	<u>P</u>	<u>§ 17-10-0207-U</u>

(Omitted text is unaffected by this ordinance)

**17-4-0207 Use Table and Standards.**

USE GROUP		Zoning Districts				Use Standard	Parking Standard
Use Category		DC	DX	DR	DS		
Specific Use Type							
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed							
<b>RESIDENTIAL</b>							
A. Household Living							
1.	Artist Live/Work Space located above the ground floor	P	P	P	-		§ 17-10-0208

(Omitted text is unaffected by this ordinance)

<b>INDUSTRIAL</b>							
UU. Manufacturing, Production and Industrial Services							
1.	Artisan	P	P	-	P		§ 17-10-0208
2.	Limited	-	-	-	P		§ 17-10-0208
3.	<u>Professional Theatrical Armorer</u>	=	=	=	<u>P</u>		<u>§ 17-10-0208</u>

(Omitted text is unaffected by this ordinance)

**17-17-0105-E Warehousing, Wholesaling and Freight Movement. Storage, wholesale sales and distribution of materials and equipment.** Typical uses include storage warehouses, moving and storage firms, trucking or cartage operations, truck staging or storage areas, wholesale sales of materials and equipment to parties other than the general public and the following specific use types:

(Omitted text is unaffected by this ordinance)

3. Freight Terminal. A building or area in which freight is collected and/or stored for in intrastate or interstate shipment.

144 who: 4. Professional Theatrical Armorer. A person licensed pursuant to chapter 4

(i) is a licensed manufacturer, licensed importer, or licensed dealer under Chapter 44 of Title 18, United States Code;

(ii) has been issued a federal firearms license for a location within the city; (ii) is registered under section 5802 of the National Firearms Act of 1934; and

(iii) derives not less than 80 percent of the business revenue from the use of firearms for a professional theatrical purpose, or has been a federal firearms licensee engaged in the business of manufacturing, importing, possessing, loaning or renting theatrical props for purposes of distribution, loan or rental for a professional theatrical purpose for not less than 3 years prior to the date of application.

**SECTION 10.** The amendments in Sections 8 and 9 of this Ordinance shall take effect on January 1, 2014, and the remainder of this ordinance shall be in full force and effect 10 days after its passage and publication.