

## **CHAPTER 8-20**

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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.

"Ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding however:

(1) any ammunition used exclusively for line-throwing, signaling, or safety and required or recommended by the United States Coast Guard; or

(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

"Antique firearm" has the same meaning ascribed to that term in 18 U.S.C. § 921(a)(16).

"Assault weapon" means any of the following, regardless of the caliber of ammunition accepted:

(a) (1) A semiautomatic rifle that has the ability to accept a detachable magazine and has one or more of the following:

(A) a folding, telescoping or detachable stock;

(B) a handgun grip;

(C) a forward grip;

(D) a threaded barrel;

(E) a grenade, flare or rocket launcher; or

(F) a barrel shroud.

(2) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

(3) A semiautomatic version of an automatic rifle.

(4) Any part, combination of parts, component, device, attachment, or accessory, including but not limited to a bump stock, that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machine gun.

(5) A semiautomatic shotgun that has one or more of the following:

(A) a folding, telescoping or detachable stock;

(B) a handgun grip;

(C) a fixed magazine with the capacity to accept more than 5 rounds;

(D) a forward grip; or

(E) a grenade, flare or rocket launcher.

(6) A semiautomatic handgun that has the ability to accept a detachable magazine and has one or more of the following:

(A) the capacity to accept a detachable magazine at some location outside of the handgun grip;

(B) a threaded barrel;

(C) a barrel shroud; or

(D) a second handgun grip.

(7) A semiautomatic version of an automatic handgun.

(8) A semiautomatic handgun with a fixed magazine that has the capacity to accept more than 15 rounds.

(9) A machine gun.

(10) All of the following rifles, including any copies or duplicates thereof with the capability of any such weapon:

(A) All AK types, including the following:

(i) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM

- (ii) IZHMAASH Saiga AK
- (iii) MAADI AK47 and ARM
- (iv) Norinco 56S, 56S2, 84S, and 86S
- (v) Poly Technologies AK47 and AKS.

(B) All AR types, including the following:

- (i) AR-10
- (ii) AR-15
- (iii) Armalite M15 22LR Carbine
- (iv) Armalite M15-T
- (v) Barrett REC7
- (vi) Beretta AR-70
- (vii) Bushmaster ACR
- (viii) Bushmaster Carbon 15
- (ix) Bushmaster MOE series
- (x) Bushmaster XM15
- (xi) Colt Match Target Rifles
- (xii) DoubleStar AR rifles
- (xiii) DPMS Tactical Rifles
- (xiv) Heckler & Koch MR556
- (xv) Olympic Arms
- (xvi) Remington R-15 rifles
- (xvii) Rock River Arms LAR-15
- (xviii) Sig Sauer SIG516 rifles
- (xix) Smith & Wesson M&P15 rifles
- (xx) Stag Arms AR rifles
- (xxi) Sturm, Ruger & Co. SR556 rifles.

(C) Barrett M107A1.

(D) Barrett M82A1.

(E) Beretta CX4 Storm.

(F) Calico Liberty Series.

(G) CETME Sporter.

(H) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110PC.

(I) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.

(J) Feather Industries AT-9.

(K) Galil Model AR and Model ARM.

(L) Hi-Point Carbine.

(M) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.

(N) Kel-Tec Sub-2000, SU-16, and RFB.

(O) SIG AMT, SIG PE-57, Sig Sauer SG 550, and Sig Sauer SG 551.

(P) Springfield Armory SAR-48.

(Q) Steyr AUG.

(R) Sturm, Ruger Mini-14 Tactical Rifle M-14/20CF.

- (S) All Thompson rifles, including the following:
  - (i) Thompson M1SB
  - (ii) Thompson T1100D
  - (iii) Thompson T150D
  - (iv) Thompson T1B
  - (v) Thompson T1B100D
  - (vi) Thompson T1B50D
  - (vii) Thompson T1BSB
  - (viii) Thompson T1-C
  - (ix) Thompson T1D
  - (x) Thompson T1SB
  - (xi) Thompson T5
  - (xii) Thompson T5100D
  - (xiii) Thompson TM1
  - (xiv) Thompson TM1C.
- (T) UMAREX UZI Rifle.
- (U) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.
- (V) Valmet M62S, M71S, and M78.
- (W) Vector Arms UZI Type.
- (X) Weaver Arms Nighthawk.
- (Y) Wilkinson Arms Linda Carbine.
- (11) All of the following handguns, including any copies or duplicates thereof with the capability of any such weapon:
  - (A) All AK-47 types, including the following:
    - (i) Centurion 39 AK handgun
    - (ii) Draco AK-47 handgun
    - (iii) HCR AK-47 handgun
    - (iv) IO, Inc. Hellpup AK-47 handgun
    - (v) Krinkov handgun
    - (vi) Mini Draco AK-47 handgun
    - (vii) Yugo Krebs Krink handgun.
  - (B) All AR-15 types, including the following:
    - (i) American Spirit AR-15 handgun
    - (ii) Bushmaster Carbon 15 handgun
    - (iii) DoubleStar Corporation AR handgun
    - (iv) DPMS AR-15 handgun
    - (v) Olympic Arms AR-15 handgun
    - (vi) Rock River Arms LAR 15 handgun.
  - (C) Calico Liberty handguns.
  - (D) PSA SA58 PKP FAL handgun.
  - (E) Encom MP-9 and MP-45.
  - (F) Heckler & Koch model SP-89 handgun.
  - (G) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.

- (H) Kel-Tec PLR 16 handgun.
- (I) The following MAC types:
  - (i) MAC-10
  - (ii) MAC-11
  - (iii) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol
  - (iv) Military Armament Corp. Ingram M-11
  - (v) Velocity Arms VMAC.
- (J) Sig Sauer P556 handgun.
- (K) Sites Spectre.
- (L) All Thompson types, including the following:
  - (i) Thompson TA510D
  - (ii) Thompson TA5.
- (M) All UZI types, including Micro-UZI.
- (12) All of the following shotguns, including any copies or duplicates thereof with the capability of any such weapon:
  - (A) Franchi LAW-12 and SPAS 12.
  - (B) All IZHMAISH Saiga 12 types, including the following:
    - (i) IZHMAISH Saiga 12
    - (ii) IZHMAISH Saiga 12S
    - (iii) IZHMAISH Saiga 12S EXP-01
    - (iv) IZHMAISH Saiga 12K
    - (v) IZHMAISH Saiga 12K-030
    - (vi) IZHMAISH Saiga 12K-040 Taktika.
  - (C) Streetsweeper.
  - (D) Striker 12.
- (13) All belt-fed semiautomatic firearms, including TNW M2HB.
- (14) Any combination of parts from which a firearm described in subparagraphs (1) through (13) can be assembled.
- (15) The frame or receiver of a rifle or shotgun described in subparagraph (1), (2), (5), (9), (10), (12), (13), or (18).
- (16) A sawed-off shotgun.
- (17) A short-barrel rifle.
- (18) A .50 caliber rifle.
- (b) An "assault weapon" shall not include any firearm that:
  - (1) is manually operated by bolt, pump, lever, or slide action:
  - (2) has been rendered permanently inoperable. "Permanently inoperable" means a firearm which is incapable of discharging a projectile by means of an explosive and incapable of being restored to a firing condition; or
  - (3) is an antique firearm.
- (c) For purposes of this definition of "assault weapon" the following terms apply:
  - (1) "barrel shroud" means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel. The term does not include (i) a slide that partially or completely encloses the barrel; or (ii) an extension of the stock along the bottom of the barrel which does not completely or substantially encircle the barrel.
  - (2) "detachable magazine" means an ammunition feeding device that can be removed from a firearm without disassembly of the firearm action.
  - (3) "fixed magazine" means an ammunition feeding device that is permanently fixed to the firearm in such a manner that it cannot be removed without disassembly of the firearm.

(4) "folding, telescoping, or detachable stock" means a stock that folds, telescopes, detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise to enhance the concealability, of a firearm.

(5) "forward grip" means a grip located forward of the trigger that functions as a handgun grip.

(6) "rocket" means any simple or complex tubelike device containing combustibles that on being ignited liberate gases whose action propels the device through the air and has a propellant charge of not more than 4 ounces.

(7) "grenade, flare or rocket launcher" means an attachment for use on a firearm that is designed to propel a grenade, flare, rocket, or other similar device.

(8) "handgun grip" means a grip, a thumbhole stock, or any other part, feature or characteristic that can function as a grip.

(9) "threaded barrel" means a feature or characteristic that is designed to allow for the attachment of a device such as a firearm silencer or a flash suppressor.

(10) "belt-fed semiautomatic firearm" means any repeating firearm that:

(i) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round;

(ii) requires a separate pull of the trigger to fire each cartridge; and

(iii) has the capacity to accept a belt ammunition feeding device.

(11) ".50 caliber rifle" means a centerfire rifle capable of firing a .50 caliber cartridge. The term does not include any antique firearm, any shotgun including a shotgun that has a rifle barrel, or any muzzle-loader which uses black powder for hunting or historical re-enactments.

(12) ".50 caliber cartridge" means a fixed cartridge in .50 BMG caliber, either by designation or actual measurement, that is capable of being fired from a centerfire rifle. ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber.

"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.

"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.

"Firearm" means any device, by whatever name known, which is designed or restored to expel a projectile or projectiles by the action of any explosive, expansion of gas or escape of gas. Provided, that such term shall not include:

(1) any pneumatic gun, spring gun, paint ball gun or B-B gun which either expels a single globular projectile not exceeding .18 inch in diameter and which has a maximum muzzle velocity of less than 700 feet per second or breakable paint balls containing washable marking colors;

(2) any device used exclusively for line-throwing, signaling, or safety and required or recommended by the United States Coast Guard; or

(3) any device used exclusively for firing explosives, rivets, stud cartridges, or any similar industrial ammunition.

"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.

"High capacity magazine" means a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of more than 15 rounds of ammunition. A "high capacity magazine" does not include an attached tubular device to accept, and capable of operating only with, .22 caliber rimfire ammunition.

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

"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.

"Machine gun" means any firearm which can fire multiple rounds of ammunition by a single function of the firing device or one press of the trigger.

"Peace officer" means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.

"Sawed-off shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun, whether by alteration, modification or otherwise, if such weapon, as modified, has an overall length of less than 26 inches.

"Short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length, and any weapon made from a rifle,

whether by alteration, modification, or otherwise, if such weapon, as modified, has an overall length of less than 26 inches.

"Superintendent" means the superintendent of the department or his designated representative.

"Safety mechanism" means a design adaption or nondetachable accessory that lessens the likelihood of unanticipated use of the handgun.

"Trigger lock" means a device that when locked in place by means of a key, prevents a potential user from pulling the trigger of the firearm without first removing the trigger lock by use of the trigger lock's key.

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

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 7-6-11, p. 3073, § 4; Amend Coun. J. 1-17-13, p. 45370, § 4; Amend Coun. J. 7-17-13, p. 57262, § 1; Amend Coun. J. 9-11-13, p. 59869, § 3; Amend Coun. J. 3-28-18, p. 73485, § 1; Amend Coun. J. 11-7-18, p. 88803, § 16)

## **ARTICLE II. POSSESSION OF FIREARMS (8-20-020 et seq.)**

### **8-20-020 Unlawful possession of a firearm.**

(a) It shall be unlawful for any person to carry or possess a firearm in violation of any applicable state or federal law.

(b) This section shall not apply to concealed carry licensees under the Firearm Concealed Carry Act (430 ILCS 66/1, et seq.) and holders of a FOID card under the Firearm Owners Identification Card Act (430 ILCS 65/0.01, et seq.).

(c) Except as otherwise provided in subsection (d), in addition to the sanctions provided in Sections 8-20-070 and 8-20-250, any person who violates this section shall be fined not less than \$1,000 nor more than \$5,000, or be incarcerated for not less than 20 days nor more than 90 days, or both. Each day that such violation exists shall constitute a separate and distinct offense.

(d) In addition to the sanctions provided in Sections 8-20-070 and 8-20-250, any person who: (i) violates this section for a second or subsequent time; or (ii) violates this section and has a previous weapons conviction; or (iii) carries or possesses an assault weapon, a high capacity magazine, a laser sight accessory, or a firearm silencer or muffler as defined in Section 8-20-010, in violation of this section, shall be fined not less than \$10,000 nor more than \$20,000, or be incarcerated for not less than 90 days nor more than 180 days, or both. Each day that such violation exists shall constitute a separate and distinct offense.

(Added Coun. J. 12-14-22, p. 58876, § 1)

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed former § 8-20-020, which pertained to unlawful possession of handguns.

### **8-20-030 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-030, which pertained to unlawful possession of long guns.

### **8-20-035 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-035, which pertained to unlawful possession of unregistrable firearms.

### **8-20-040 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-040, which pertained to firearms kept or maintained in a home.

### **8-20-050 Firearms – Protection of minors.**

(a) It is unlawful for any person to keep or possess any firearm or ammunition in his home if the person knows or has reason to believe that a minor under the age of 18 years is likely to gain access to the firearm or ammunition, unless:

(1) the person is physically present in the home and the firearm is either being held by the person or is physically secured on the person's body;

(2) the firearm is secured by a trigger lock or other mechanism, other than the firearm safety mechanism, designed to render a firearm temporarily inoperable; or

(3) the firearm and ammunition are placed in a securely locked box or container.

(b) No person shall be punished for a violation of this section under the following circumstances:

(1) if the minor gains access to the firearm and uses it in a lawful act of self-defense or defense of another; or

(2) if the minor gains access to the firearm because of an unlawful entry of the premises by the minor or another person.

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

(Added Coun. J. 7-2-10, p. 96234, § 4)

### **8-20-060 Possession of a laser sight accessory, firearm silencer or muffler.**

(a) It is unlawful for any person to carry, possess, display for sale, sell or otherwise transfer any laser sight accessory, or a firearm silencer or muffler.

(b) The provisions of this section shall not apply to any members of the armed forces of the United States, or the organized militia of

this or any other state, or peace officers, to the extent that any such person is otherwise authorized to acquire or possess a laser sight accessory, or firearm silencer or muffler, and is acting within the scope of his duties.

(c) Any laser sight accessory, or firearm silencer or muffler, carried, possessed, displayed or sold in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.

(Added Coun. J. 7-2-10, p. 96234, § 4)

#### **8-20-070 Unlawful firearm, laser sight accessory, or firearm silencer or muffler in a motor vehicle – Impoundment.**

(a) The owner of record of any motor vehicle that contains: (i) a firearm that is carried or possessed in violation of any applicable state or federal law other than the expiration of a FOID card or concealed carry license of a person who otherwise remains qualified under Illinois law to lawfully possess or carry firearms; or (ii) an assault weapon; or (iii) a laser sight accessory; or (iv) a firearm silencer or muffler, shall be liable to the City for an administrative penalty of \$2,000 plus any towing and storage fees applicable under Section 9-92-080. Any such vehicle shall be subject to seizure and impoundment pursuant to this section.

(b) Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the City or its agents. Before or at the time the vehicle is towed, the police officer shall notify any person identifying himself as the owner of the vehicle at the time of the alleged violation or the person who is found to be in control of the vehicle at the time of the alleged violation, if there is such person, of the fact of the seizure and of the vehicle owner's right to request a vehicle impoundment hearing to be conducted under Section 2-14-132 of this Code by serving such person with a copy of the vehicle impoundment seizure report.

(c) Section 2-14-132 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.

(d) Nothing in this section shall be construed to regulate any firearm to the extent that such regulation is preempted.

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 11-16-11, p. 14596, Art. I, § 1; Amend Coun. J. 7-17-13, p. 57262, § 1; Amend Coun. J. 7-22-20, p. 18957, § 5)

#### **8-20-075 Possession of assault weapons.**

(a) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess an assault weapon.

(b) 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 subsection (a):

(1) Any person who lawfully possesses a firearm that on the effective date of this section became prohibited as being an assault weapon has 60 days after the effective date of this section to legally dispose of, or remove from the city, the assault weapon.

(2) Any person who is a qualified retired law enforcement officer, as that term is defined in 18 U.S.C. § 926C, and who lawfully possessed a duty-related assault weapon at the time of separation from active duty in law enforcement, shall legally dispose of, or remove from the city, the assault weapon within 60 days of such separation.

(d) Any assault weapon carried, possessed, displayed, sold or otherwise transferred in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.

(Added Coun. J. 7-17-13, p. 57262, § 1)

#### **8-20-080 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-080, which pertained to possession of ammunition.

#### **8-20-085 High capacity magazines and certain tubular magazine extensions – Sale and possession prohibited – Exceptions.**

(a) It is unlawful for any person to carry, possess, sell, offer or display for sale, or otherwise transfer any high capacity magazine or tubular magazine extension for a shotgun. 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 a high capacity magazine or tubular magazine extension for a shotgun, and is acting within the scope of his duties, or to any person while in the manufacturing, transportation or sale of high capacity magazines or tubular magazine extension for a shotgun to people authorized to possess them under this section.

(b) Any high capacity magazine or tubular magazine extension for a shotgun carried, possessed, displayed, sold or otherwise transferred in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 7-17-13, p. 57262, § 1)

#### **8-20-090 Limitation on purchase of handguns.**

(a) No person shall purchase more than one handgun within any 30-day period; provided that this section shall not apply to the purchase of a handgun by:

(1) a peace officer;

(2) a collector issued a federal firearm collector's license who is purchasing an antique, curio or relic firearm;

(3) a person whose handgun was stolen or lost and the person timely reported the theft or loss to the appropriate local law enforcement official; or

(4) a person returning a handgun purchased within the thirty-day period because the handgun is defective or damaged and the person is seeking a replacement handgun.

(b) No person shall sell or transfer any firearm to a person he knows to be intoxicated.

(Added Coun. J. 6-25-14, p. 83727, § 8)

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed a former § 8-20-090, which pertained to interstate transportation of firearms.

### **8-20-100 Sale or transfer of firearms at gun shows prohibited.**

No firearm shall be sold or otherwise transferred by any person at a gun show. For purposes of this subsection, "gun show" means a temporary exhibit or gathering where firearms or ammunition are sold, leased, or otherwise transferred.

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 7-6-11, p. 3073, § 4; Amend Coun. J. 1-17-13, p. 45370, § 4; Amend Coun. J. 9-11-13, p. 59869, § 3; Amend Coun. J. 6-25-14, p. 83727, § 8)

## **ARTICLE III. RESERVED. (8-20-110 et seq.)**

### **8-20-110 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-110, which pertained to a required CFP.

### **8-20-120 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-120, which pertained to CFP application.

### **8-20-130 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-130, which pertained to CFP card fee and expiration.

### **8-20-140 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-140, which pertained to a firearm registration certificate.

### **8-20-145 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-145, which pertained to registration certificate expiration.

### **8-20-150 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-150, which pertained to application fees.

### **8-20-160 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-160, which pertained to restrictions on issuance of registration certificates.

### **8-20-170 Reserved.**

**Editor's note** – Coun. J. 7-17-13, p. 57262, § 1, repealed § 8-20-170, which pertained to unregistrable firearms.

### **8-20-180 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-180, which pertained to CFP and registration certificate.

### **8-20-185 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-185, which pertained to additional duties.

### **8-20-190 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-190, which pertained to denials and revocations.

### **8-20-200 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-200, which pertained to a procedure for denial.

### **8-20-205 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-205, which pertained to a procedure for revocation.

### **8-20-210 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-210, which pertained to automatic revocation of registration certificates.

## **ARTICLE IV. MISCELLANEOUS PROVISIONS. (8-20-220 et seq.)**

### **8-20-220 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-220, which pertained to false information, forgery, and alteration.

### **8-20-230 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-20-230, which pertained to notice.

## **8-20-240 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-240-00, which pertained to posting of unsafe handguns.

## **8-20-250 Seizure and forfeiture of firearms, ammunition, laser sight accessories and firearm silencers and mufflers – Authority and destruction.**

The superintendent has the authority to seize any firearm, assault weapon, ammunition, laser sight accessories, or firearm silencer or muffler carried or possessed in violation of this chapter or any applicable state or federal law. Such items are hereby declared contraband and shall be seized by and forfeited to the city.

Whenever any firearm, ammunition, laser sight accessories, or firearm silencer or muffler is surrendered or forfeited pursuant to the terms of this chapter, or any applicable state or federal law, the superintendent shall ascertain whether such firearm, ammunition, assault weapon, laser sight accessories, or firearm silencer or muffler is needed as evidence in any matter. All such items which are not required for evidence shall be destroyed at the direction of the superintendent; provided that those firearms and ammunition that the superintendent shall deem to be of use to the department may be retained for the use of the department. A record of the date and method of destruction and an inventory of the firearm or ammunition so destroyed shall be maintained.

Nothing in this section shall be construed to regulate any firearm or ammunition to the extent that such regulation is preempted.

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 7-17-13, p. 57262, § 1)

## **8-20-260 Rules and regulations.**

The superintendent has the authority to promulgate rules and regulations for the implementation of this chapter and to prescribe all forms and the information required. All rules and regulations promulgated by the superintendent pursuant to this chapter shall be posted on the department's web site.

(Added Coun. J. 7-2-10, p. 96234, § 4)

## **8-20-270 Acquisition or possession prohibited by law.**

Nothing in this chapter shall make lawful the acquisition or possession of firearms or ammunition which is otherwise prohibited by law.

(Added Coun. J. 7-2-10, p. 96234, § 4)

## **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.

(Added Coun. J. 2-13-13, p. 46844, § 1)

**Editor's note**– Coun. J. 7-6-11, p. 3073, § 4, repealed a former § 8-20-280, which prohibited shooting galleries and target ranges.

## **8-20-290 Severability.**

If any provision or term of this chapter, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provisions or terms of this chapter which reasonably can be given effect without the invalid provision or term for the application thereof.

(Added Coun. J. 7-2-10, p. 96234, § 4)

# **ARTICLE V. VIOLATION OF CHAPTER PROVISIONS (8-20-300 et seq.)**

## **8-20-300 Violation – Penalty.**

(a) Unless the enhanced penalty imposed by subsection 8-4-350(b)(2) or subsection 8-4-355(b)(2) of this Code applies, any person who violates section 8-20-060 shall be fined not less than \$1,000.00 nor more than \$5000.00 and be incarcerated for a term not less than 20 days nor more than 90 days.

Unless the enhanced penalty imposed by subsection 8-4-350(b)(1) subsection 8-4-355(b)(1) of this Code applies, any person who violates section 8-20-075, or 8-20-085, or 8-20-100 shall be fined not less than \$1,000.00 nor more than \$5,000.00 and be incarcerated for a term of not less than 90 days nor more than 180 days.

Each day that such violation exists shall constitute a separate and distinct offense.

(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 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) Reserved.

(d) Upon the determination that a person has violated any provision of this chapter or any rule or regulation promulgated hereunder, the superintendent may institute an administrative adjudication proceeding with the department of administrative hearings by forwarding a copy of a notice of violation or a notice of hearing, which has been properly served, to the department of administrative hearings.

(Added Coun. J. 7-2-10, p. 96234, § 4; Amend Coun. J. 2-13-13, p. 46844, § 1; Amend Coun. J. 7-17-13, p. 57257, § 2; Amend Coun. J. 7-17-13, p. 57262, § 1; Amend Coun. J. 9-11-13, p. 59869, § 3; Amend Coun. J. 9-11-13, p. 59905, § 2)

## CHAPTER 8-24

### FIREARMS AND OTHER WEAPONS

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**8-24-005 Definitions.**

**8-24-010 Discharging cannons.**

**8-24-020 Sale or possession of deadly weapons.**

**8-24-021 Sale, display and use of utility knives.**

**8-24-025 Reserved.**

**8-24-026 Reserved.**

**8-24-027 Reserved.**

**8-24-030 Sale prohibited – Confiscation.**

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

**8-24-045 Noxious gas or liquid.**

**8-24-050 Hunting.**

**8-24-060 Violation – Penalty.**

#### **8-24-005 Definitions.**

For the purposes of this Chapter, the following definitions apply:

"Ballistic knife" means a knife with a detachable blade that can be expelled from the handle or frame as a projectile commonly propelled by a spring-operated mechanism, a coil spring, elastic material or compressed gas.

"Corrections officers," "firearm," "peace officer," "shooting range patron" and "licensed shooting range facility" have the meaning ascribed to those terms in section 8-20-010.

"Switchblade knife" means any knife with a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife and commonly referred to as a switchblade knife.

(Added Coun. J. 7-2-10, p. 96234, § 6; Amend Coun. J. 7-6-11, p. 3073, § 5; Amend Coun. J. 9-11-13, p. 59869, § 3)

#### **8-24-010 Discharging cannons.**

No cannon or piece of artillery shall be discharged or fired off in any public way or other public place within the city, except upon the express permission of the city council.

Any person violating any of the provisions of this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense.

(Prior code § 193-29; Amend Coun. J. 7-7-92, p. 19196; Amend Coun. J. 7-2-10, p. 96234, § 6; Amend Coun. J. 7-6-11, p. 3073, § 5; Amend Coun. J. 9-11-13, p. 59869, § 3)

#### **8-24-020 Sale or possession of deadly weapons.**

(a) No person shall sell, offer for sale, keep, possess, purchase, loan or give to any person any bludgeon, blackjack, slung shot, sandclub, sandbag, metal knuckles, or other knuckle weapon regardless of its composition, throwing star, switchblade knife or ballistic knife; provided that this subsection shall not apply to the purchase, possession or carrying of a black-jack or slung shot by a peace officer.

(b) No person shall sell, offer for sale, loan or give to any person 18 years of age or under any type or kind of knife with a blade which is two inches in length or longer.

(c) No person 18 years of age or under shall carry, possess or conceal on or about his person, any knife, the blade of which is two inches in length or longer.

(d) No person shall carry or possess with intent to use unlawfully against another, or carry in a threatening or menacing manner, without authority of law, a dagger, billy, dangerous knife, razor, broken bottle or other piece or glass, stun gun, taser, or other dangerous or deadly weapon of like character.

(e) No person shall carry on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older; provided that this subsection shall not apply to any person listed in section 5/24-2(a)(1)-(14) of the Criminal Code, 720 ILCS 5/24-2(a).

(f) No person shall carry concealed on or about his person a dagger, any knife with a blade more than two and one-half inches in length, or other dangerous weapon. Provided, however, that this provision shall not apply to the following officers while engaged in the discharge of their official duties: sheriffs, peace officers, and corrections officers; nor to the following employees or agents while engaged in the discharge of the duties of their employment: conductors, baggagemen, messengers, drivers, watchmen, special agents and policemen employed by railroads or express companies; nor to persons lawfully summoned by an officer to assist in making arrests or preserving the peace, while so engaged in assisting such officer.

(g) Unless the enhanced penalty imposed by subsection 8-4-350(b)(3) or subsection 8-4-355(b)(3) of this Code applies, any person violating this section shall be fined \$200.00 for each offense, or shall be punished by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.

(h) Any weapons used in violation of this section shall be forfeited to the city.

(Prior code § 193-30; Amend Coun. J. 9-9-09, p. 70526, § 1; Amend Coun. J. 7-2-10, p. 96234, § 6; Amend Coun. J. 7-17-13, p. 57257, § 3; Amend Coun. J. 9-11-13, p. 59869, § 3; Amend Coun. J. 9-11-13, p. 59905, § 3)

#### **8-24-021 Sale, display and use of utility knives.**

(a) As used in this section, a "utility knife" is a knife consisting of a grip and single-edged sharp blade of the type typically used to cut such resistant surfaces as rugs, cardboard boxes, linoleum flooring and the like.

(b) No person shall display or offer for sale any utility knife except by placing the knife either (1) in an area immediately accessible only to an employee of the establishment, and beyond the reach of any customer less than seven feet tall; or (2) in a locked display cabinet, which can only be opened by an employee of the establishment.

(c) No person under the age of 18 shall carry a utility knife on his person, or in the passenger compartment of a motor vehicle. This prohibition shall not apply to a minor using a utility knife for a lawful purpose (1) in his residence, under the immediate supervision of his parent or legal guardian; or (2) in a classroom, at the direction and under the immediate supervision of his teacher; or (3) in his place of lawful employment, at the direction and under the immediate supervision of his adult employer or an adult supervisor. For purpose of clause (3) of this subsection (c), "place of employment" includes an employer's motor vehicle used to transport the employer's tools and equipment, as well as a site where the employer is performing any lawful work.

(d) No person shall sell, offer to sell, give, deliver or offer a utility knife to a person under the age of 18. The prohibition on giving, offering or delivery of a utility knife shall not apply to (1) a parent or legal guardian who gives a utility knife to his minor or ward in the family residence for a lawful use, to be performed within the residence at the direction and under the immediate supervision of parent or legal guardian; or (2) a teacher who gives a utility knife to a minor student, or who allows or directs a minor student to take possession of a utility knife, in a classroom for a lawful use, to be performed in the classroom at the direction and under the immediate supervision of the teacher; or (3) to an adult employer, who gives a utility knife to a minor employee, or who allows or directs a minor employee to take possession of a utility knife, in the place of lawful employment, at the direction and under the immediate supervision of the adult employer or an adult supervisor. For purposes of clause (3) of this subsection (d), "place of employment" includes an employer's motor vehicle used to transport the employer's tools and equipment, as well as a site where the employer is performing any lawful work.

(e) Any person who violates any provision of this section shall be subject to a fine of not less than \$500.00 and not more than \$1,000.00.

(Added Coun. J. 9-10-97, p. 51559; Amend Coun. J. 7-2-10, p. 96234, § 6)

#### **8-24-025 Reserved.**

**Editor's note** – Coun. J. 7-2-10, p. 96234, § 6, repealed § 8-24-025, which pertained to the sale of assault weapons and ammunition.

#### **8-24-026 Reserved.**

**Editor's note** – Coun. J. 7-2-10, p. 96234, § 6, repealed § 8-24-026, which pertained to the sale of fragmenting bullets and metal piercing bullets.

#### **8-24-027 Reserved.**

**Editor's note** – Coun. J. 9-11-13, p. 59869, § 7, repealed § 8-24-027, which pertained to disguised firearms.

#### **8-24-030 Sale prohibited – Confiscation.**

No person shall sell, offer for sale, manufacture, purchase, possess or carry within the city any weapon or instrument associated with martial arts combat, including but not limited to throwing darts, bolts, Chinese stars, Nun-chako sticks, and wristbands or belts with sharpened or abrasive studs. Any person found violating the provisions of this section shall be fined \$200.00 for each offense, or shall be punished by imprisonment for a period of six months, or shall receive both such fine and imprisonment.

In addition to all other penalties, weapons and instruments used in violation of this section shall be forfeited to and confiscated by the city.

(Prior code § 193-30.1; Added Coun. J. 4-23-86, p. 29530)

#### **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, that discharges projectiles either by air, spring, explosive, substance, or any other force.

(b) Except as provided in subsection (c) below, no person shall possess or discharge a replica air gun in the city of Chicago.

(c) The use or possession of an air gun or replica air gun is permitted if the air gun or replica air gun is in the possession and control of a carnival and is offered for use to carnival customers on a temporary basis. For purposes of this section, "carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides.

(d) As used in this section, the term "replica air gun" shall be defined as provided in Section 4-144-145 of the code.

(e) Any person who violates the provisions of subsection (b) of this section, upon conviction thereof, shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense, or imprisoned for a period not to exceed six months, or both such fine and imprisonment. As an alternative to, or in addition to, any such fine, the violator may be made to perform community service. Whenever a person under the age of 18 is ordered to pay a fine or perform community service for a violation of this subsection (b), the parent or guardian having legal custody or control of the person may be ordered to pay the fine instead of, or perform the community service in conjunction with, the person.

(Prior code § 193-31; Amend Coun. J. 10-4-06, p. 87431, § 2; Amend Coun. J. 9-11-13, p. 59869, § 3)

#### **8-24-045 Noxious gas or liquid.**

(a) No person shall use any device to discharge a noxious gas or liquid in an enclosed room in any Group A occupancy, classified in accordance with Chapter 14B-3 of this Code, or in an enclosed room in any restaurant, bar or tavern that is a Group B or M occupancy as defined in that chapter, if more than 20 persons are present in that room, unless the person is a peace officer, as defined in Section 8-20-010 of this Code, engaged in law enforcement activity. As used in this section, "noxious gas or liquid" means mace, pepper spray or any other substance that is intended or designed to cause irritation to the eyes, nose or mouth, or to cause nausea.

(b) Any person who violates this section is guilty of a misdemeanor that is punishable by a fine \$500.00, or 30 days imprisonment, or both, for each offense.

(Added Coun. J. 4-9-03, p. 106979, § 1; Amend Coun. J. 11-8-12, p. 38872, § 159; Amend Coun. J. 4-10-19, p. 100029, Art. II, § 94)

#### **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 shotgun, and that such shotgun 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.

(Prior code § 193-32; Amend Coun. J. 5-16-90, p. 15819)

#### **8-24-060 Violation – Penalty.**

Any person violating any of the provisions of this chapter, where no other penalty is specifically provided, shall be fined not more than \$200.00 for each offense.

(Prior code § 193-35 (part))