



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2013-5527

**Type:** Ordinance                                       **Status:** Passed

**File created:** 7/24/2013                                       **In control:** City Council

**Final action:** 9/11/2013

**Title:** Amendment of Municipal Code Chapter 8-4 by adding new Section 350 regarding firearm violations in proximity to transportation facilities

**Sponsors:** Emanuel, Rahm, Dowell, Pat, Osterman, Harry

**Indexes:** Ch. 20 Weapons, Ch. 24 Firearms & Other Weapons, Ch. 4 Public Peace & Welfare

**Attachments:** 1. O2013-5527.pdf

Date	Ver.	Action By	Action	Result
9/11/2013	1	City Council	Passed	Pass
9/9/2013	1	Committee on Public Safety	Recommended to Pass	Pass
7/24/2013	1	City Council	Referred	

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, I transmit herewith, together with Alderman Dowell and Alderman Osterman, an ordinance amending the Municipal Code regarding firearm violations in proximity to

transportation facilities.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

## ORDINANCE

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

SECTION 1. The Municipal Code of Chicago is hereby amended by adding a new Section 8-4-350, as follows:

#### **Reserved 8-4-350 Enhanced penalties for offenses committed in public transportation safety zones**

(a) Definition. For purposes of this section, "public transportation safety zone" means:

- 1) any bus, train, or other form of transportation operated by a transportation authority that is funded, in whole or in part, with public funds;
- 2) in, or within 100 feet of, any building, real property, or parking area under the control of a public transportation authority that is funded, in whole or in part, with public funds; and
- 3) within 100 feet of any bus shelter or sign designating the location of a bus stop utilized by a transportation authority that is funded, in whole or in part, with public funds.

(b) Penalties.

- 1) The following enhanced penalties shall apply to violations of sections 8-20-075 and 8-20-085 of this Code that occur in public transportation safety zones:
  - A) the penalty for a first offense shall be a fine of not less than \$1,000.00 nor more than \$5,000.00, and incarceration for a term not less than 120 days nor more than six months;
  - B) the penalty for a second offense shall be a fine of not less than \$5,000.00 nor more than \$15,000.00, and incarceration for a term not less than 150 days nor more than six months; and
  - C) the penalty for a third or subsequent offense shall be a fine of not less than \$10,000.00 nor more than \$20,000.00, and incarceration for a term of six months.

2) The following enhanced penalties shall apply to violations of section 8-20-060 of this Code that occur in public transportation safety zones:

A) the penalty for a first offense shall be a fine of not less than \$1,000.00 nor more than \$5,000.00, and incarceration for a term not less than 30 days nor more than six months;

B) the penalty for a second offense shall be a fine of not less than \$5,000.00 nor more than \$15,000.00, and incarceration for a term not less than 90 days nor more than six months; and

C) the penalty for a third or subsequent offense shall be a fine of not less than \$10,000.00 nor more than \$20,000.00, and incarceration for a term of six months.

3) The following enhanced penalties shall apply to violations of section 8-24-020 of this Code that occur in public transportation safety zones:

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A) the penalty for a first offense shall be a fine of not less than \$500.00 nor more than \$1,000.00, and incarceration for a term not less than 30 days nor more than six months;

B) the penalty for a second offense shall be a fine of not less than \$1,000.00 nor more than \$2,000.00, and incarceration for a term not less than 90 days nor more than six months; and

(C) the penalty for a third or subsequent offense shall be a fine of not less than \$2,000.00 nor more than \$5,000.00, and incarceration for a term of six months.

SECTION 2. Section 8-20-300 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**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 ~~8-20-020, 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 8-4-350(b)(1) or subsection 8-4-355(b)(1) of this Code applies, any person who violates section ~~8-20-035, 8-20-075, or 8-20-085, 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.

*(Omitted text is not affected by this ordinance)*

SECTION 3. Section 8-24-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**8-24-020 Carrying dangerous weapons.**

*(Omitted text is not affected by this ordinance)*

(g) Unless the enhanced penalty imposed by subsection 8-4-350(b)(3) or subsection 8-4-355(b)(3) of this Code applies, a person violating the provisions of subsections (a), (c), (d), or (f) of 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.

*(Omitted text is not affected by this ordinance)*

SECTION 4. In light of the urgent need to activate the deterrent effect of these enhanced penalties, pursuant to 65 ILCS 5/1-2-4, this ordinance shall take effect immediately upon its passage and approval, if such passage is by a vote of at least two-thirds of the members of this Council. In the event this ordinance passes by a majority vote of less than two-thirds of the members of this Council, it shall take effect ten days after passage and publication.