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Legislation Text

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

December 12, 2012

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

Ladies and Gentlemen:

At the request of the Corporation Counsel, I transmit herewith an ordinance amending various provisions of the Municipal Code regarding Shooting Ranges.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

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ORDINANCE

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

SECTION 1. Chapter 2-84 of the Municipal Code of Chicago is hereby amended by adding a new section 2-84-077, 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.

SECTION 2. Section 4-144-130 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

4-144-130 ~~Daily report~~ Report required - Repairs.

Every person licensed under this chapter shall ~~make out~~ prepare and submit to the superintendent of police on a weekly basis ~~every day, before twelve noon,~~ a legible and correct report of each firearm received for repair during the preceding week ~~24 hours,~~ 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:

(Omitted text is unaffected by this ordinance)

SECTION 3. Chapter 4-151 of the Municipal Code of Chicago is hereby amended by adding a new section 4-151-175, by deleting section 4-151-120, by adding the language underscored and by deleting the language struck through, as follows:

4-151-010 Definitions.

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

"Ammunition," "CFP," "firearm" and "FOID" have the meanings ascribed to the terms in Section 8-20-

010.

"Applicant" means any person who is required to be disclosed pursuant to section 4-151-030(b) applying for a license issued under this chapter and any person who: (1) is an officer, director, manager, managing member, partner, general partner or limited partner of an entity seeking a license issued under this chapter: or (2) owns directly, or indirectly through one or more independent ownership entities, 5% or more of the interest or voting shares in an entity seeking a license issued under this chapter: or (3) is among the top three persons holding the highest percentage of ownership in an entity seeking a license issued under this chapter.

"Building" has the same definition ascribed to that term in Section 17-17-0223.

(Omitted text is unaffected by this ordinance) "Licensee" means any person issued a license under this chapter. "Manager" means a person employed to manage a shooting range facility.

(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:

(1) in the case of an individual: the name, date of birth, residence address, current telephone number and social security number of the applicant; in the case of a partnership, limited partnership, corporation, limited liability company or other legal entity: the date of its organization or incorporation; the objects for which it was organized or incorporated; and the name, residence address, date of birth and social security numbers of any persons applicant owning directly or beneficially any percentage of ownership therein; provided, however, that if the partnership, limited partnership, corporation, limited liability company or other legal entity is publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934, the names, residence addresses, social security numbers, dates of birth and percentage of interest of the three members who own the highest percentage of interest therein and of any other members who hold a five percent or greater interest therein; and, where applicable, the names, residence addresses, dates of birth and social security numbers of all principal officers and directors; if the entity is a manager-managed limited liability company, the names, residence addresses, dates of birth and social security numbers of all managers; and the name and current telephone number of any authorized agent; and in all cases: the name, address, and a brief description of any work

~~performed by any person in connection with the preparation and filing of the application, including but not limited to~~

(Omitted text is unaffected by this ordinance) (6) the applicant's, manager's, range

master's and employees' CFP and FOID card numbers;

(Omitted text is unaffected by this ordinance)

(e) At the time an application is originally filed for a shooting range facility license, the applicant shall pay the license fee required by Section 4-5-010 and, no later than 30 days after payment of the license fee, shall submit to the department all required documentation, as prescribed by the rules and regulations of the department, necessary to complete the license application.

If the applicant submits all required documentation in a timely manner, the commissioner shall review the application materials and shall approve or deny the application within 60 days after all required documentation has been submitted.

If the applicant fails to submit all required documentation within 30 days after payment of the license fee, the application shall be deemed incomplete and no further action shall be taken on the application, unless the applicant reactivates the application within six months after the original application is filed by: (i) submitting all required documentation necessary to complete the application process; and (ii) paying a \$100.00 application reactivation fee. If the applicant reactivates the license application in accordance with the requirements of this subsection, the commissioner shall review the application materials and shall approve or deny the application within 60 days after all required documentation has been submitted and the application reactivation is fee paid.

(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:

a) Is under 21 years of age;

b) Has ever been convicted of a felony;

c) Has ever been convicted of a misdemeanor involving a firearm, or any other violation of law concerning the manufacture, use, possession or sale of firearms;

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

e) Has within the previous five years submitted false or misleading information in connection with any application for a license relating to the sale or possession of firearms.

4-151-110 Safety plan.

(a) Every application for a license under this chapter must be accompanied by a safety plan meeting the requirements of this section. The safety plan must be approved by the superintendent. in consultation with

the executive director of emergency management and communications and the fire commissioner.

(Omitted text is unaffected by this ordinance)

4-151-120 Restricted areas.

No premises licensed under this chapter may be located, as measured from property line to property line

a) another premises licensed as a shooting range facility;

b) any zoning district zoned for residential use, including a planned development, that authorizes such residential use; or

c) any school, park, place of worship, any premises licensed for the retail sale of liquor, children's services facility, library, museum or hospital.

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

(a) A licensee, manager, range master or employee shall not may provide a firearm registered to the licensee for use at a shooting range facility to otherwise give a shooting range patron a firearm for the patron's use at the shooting range when the shooting range patron, if required to do so, has a valid CFP and FOID card, or is; except that the licensee may provide a firearm to a shooting range patron only for the purpose of 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 person licensed under this chapter is exempt from obtaining a weapons dealer license under Article I of 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 weapons dealer licensee under sections 4-144-061, 4-144-062 and 4-144-065; PI

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) 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 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.

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.

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 15-20-060, and any applicable rule or regulation.

SECTION 4. Chapter 8-20 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

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)

"Licensed shooting range facility" means a shooting range facility, ~~as that term is defined in Section 4-151-010, that has been issued is duly licensed a shooting range facility tteefrse~~ 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.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

8-20-020 Unlawful possession of handguns.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

(18) a licensee, range master, manager or employee, ~~as those terms are defined~~

in Section 4-151-010, 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).

8-20-080 Possession of ammunition.

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

(Omitted text is unaffected by this ordinance)

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

4) is a shooting range patron, licensee, range master, manager or employee as those terms are defined in Section 4-151-010, of a licensed shooting range facility, and the ammunition is possessed or stored at and for use at the licensed shooting range facility.

~~(5) is a shooting range patron at a licensed shooting range facility.~~

(Omitted text is unaffected by this ordinance) 8-20-100

Permissible sales and transfers of firearms and ammunition.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

(f) Notwithstanding any other provision of this section,;

1) a licensee, range master, manager or employee, as those terms are defined in Section 4-151-010, of a licensed shooting range facility may sell ammunition, or provide a firearm to, a shooting range patron in compliance with Section 4-151-170t: 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, if required.

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.

(Omitted text is unaffected by this ordinance)

(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 ~~0-20-100.~~

(Omitted text is unaffected by this ordinance)

(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.

8-20-140 Firearm registration certificate - Required.

(Omitted text is unaffected by this ordinance)

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 An applicant for a registration certificate 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;
- (2 B) a copy of the applicant's CFP and Illinois FOID card;
- (3C) the name of the manufacturer, the caliber or gauge, the model, type and the serial number identification of the firearm to be registered;
- (4 D) the source from which the firearm was obtained;
- (5 E) the address at which the firearm will be located;
- (6 F) if an antique firearm, the year of manufacture of the firearm;
- (7 G) the date the firearm was acquired; and
- (8 H) any other information as the superintendent shall find 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.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

(9) firearms being transported by a person engaged in interstate travel in compliance with section 8-20-090 ~~0-20-100~~; or

(Omitted text is unaffected by this ordinance)

(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, the range master, manager or employee, ~~as those terms are defined in Section 4-151-010~~, 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 ~~in accordance with Chapter 4-151~~.

8-20-145 Registration certificates - Expiration.

(Omitted text is unaffected by this ordinance)

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.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

(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.

(Omitted text is unaffected by this ordinance)

c) A registration certificate shall only be valid for the address on the registration certificate. ~~Except in the lawful transportation of a firearm,~~ 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.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 13-96-1200 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

13-96-1200 Shooting range requirements.

(Omitted text is unaffected by this ordinance)

(b) Every shooting range shall comply with the following:

(Omitted text is unaffected by this ordinance)

(2) sound control - the noise emanating from the shooting range to areas outside of the shooting range facility shall be in compliance with are subject to Chapter 8-32, Sections 8-32-010 through and including 8-32-170, Noise and Vibration Control, for environmental noise. The maximum noise emanating from the shooting range facility into contiguous areas shall not be more than 55 dB when measured from a distance of 100 feet or more from the source, or 70 dB when measured from a distance of 10 feet or more from the source. The shooting range shall conform to the requirements of The Occupational Noise Exposure Standard Section 1910.95 of 29 C.F.R. Part 1910 and shall be designed and constructed to contain noise generated from the discharge of firearms. The shooting range shall be provided with air-borne and structure-borne sound absorbing materials. Surface applied or suspended acoustical materials shall comply with Section 15-8-420. The materials shall be designed to permit easy cleaning and access for periodic replacement;

SECTION 6. Section 15-20-060 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

15-20-060 Small arms ammunition.

a) ~~Small arms ammunition, when not exceeding~~ 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. ~~If over 500 pounds is stored, it shall be stored in a magazine.~~

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 7. Title 17 of the Municipal Code of Chicago is hereby amended by adding a new section 17-9-0120 and by adding the language underscored, as follows:

17-5-0207 Use Table and Standards.

USE GROUP	District			Use Standard	Parking Standard
	M1	M2	M3		
Use Category					

Specific Use Type

P= permitted by-right S = special use approval required PD = planned development approval required - :
(omitted text is unaffected by this ordinance)

AA. Retail Sales, General	P	P	p	Access§ 17-10-0207- of gooc produc site: no exceed on-site
BB. Sports and Recreation, Participant I. Shooting range facility	S S	S S	S S	517-9-(§ 17-10-0207- M
CC. Vehicle Sales and Service				

(omitted text is unaffected by this ordinance)

17-9-0120 Shooting ranges. Shooting ranges may not be located in any of the following areas or locations:

17-9-0120-A within 100 feet of another existing shooting range:

17-9-0101-B within 500 feet of any zoning district that is zoned for residential use, including a planned development that authorizes residential use:

17-9-0101-C within 500 feet of any pre-existing school, day-care facility, place of worship, premises licensed for the retail sale of liquor, children's activities facility, library, museum or hospital.

SECTION 8. This ordinance shall take effect after its passage and approval.