



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2017-5611  
**Type:** Ordinance  
**Status:** Failed to Pass  
**File created:** 7/26/2017  
**In control:** City Council  
**Final action:**  
**Title:** Amendment of Municipal Code Chapter 8-16 by adding new Section 8-16-093 regarding parental responsibility for firearm possession by minors  
**Sponsors:** Burke, Edward M., Lopez, Raymond A.  
**Indexes:** Ch. 16 Offenses By or Against Minors  
**Attachments:** 1. O2017-5611.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
7/26/2017	1	City Council	Referred	

### ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6 (a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, after examining data from death certificates, police reports, and hospital emergency reports from 2002 to 2014, the Centers for Disease Control (CDC) found that at least nineteen (19) children are killed or injured by guns every day in the United States and concluded that gunshot wounds are third leading cause of death for children ages one (1) to seventeen (17) behind unintentional injuries, such as motor vehicle crashes or drowning, and cancer; and

WHEREAS, the CDC found that boys are especially vulnerable to gun violence, accounting for eighty-two percent (82%) of all child firearm deaths and eighty-four percent (84%) of all nonfatal gun injuries; and

WHEREAS, after studying gun violence in Chicago, the researchers argue that gun violence is not just a law-enforcement problem but a public health crisis that requires understanding the problem and developing solutions; and

WHEREAS, the emergency room at the Stroger Hospital has seen a rise in children injured by gun violence and the Journal of Pediatrics recommended doctors to talk to parents about firearm safety since gun violence prevention starts at the individual, family, and community level; and

WHEREAS, in Chicago, there were more than 250 people shot in the month of June and Fourth of July weekend brought that figure to an additional sixty (60) people shot, including eight homicides; and

WHEREAS, so far in 2017, more than 2,112 people have been shot and of those victims, 291 have died; and

WHEREAS, on June 2, 2017, as police officers responded to shots being fired at the 5800 block of South Wabash, a seventeen year old teenager pulled out a gun and fired at the police officer's vehicle, at which time officers returned fire, and the teenager was later pronounced dead; and

WHEREAS, on June 5, 2017, two seventeen year olds and a twelve year old were arrested for shooting at two police officers from inside a stolen vehicle at 100 block of West 13<sup>th</sup> Street; and

WHEREAS, in other jurisdictions such as Elgin, Illinois, Denver, Colorado and the state of Colorado have legislation concerning the role of parents and guardians and a minor's possession of firearms; and

WHEREAS, Chicago currently addresses parental roles with respect to curfew violations and social hosting; and

WHEREAS, it is the intention of this City Council to recognize the role of parental responsibility, it also seeks to ensure availability of support systems for parents and guardians of minors who possess firearms; now, therefore,

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

SECTION 1. Chapter 8-16-093 of the Municipal Code of Chicago is hereby amended by adding section as follows:

§8-16-093 Parental Responsibility for Firearm Possession by Minors.

- a) Definitions. Whenever used in this section:
  - 1) "Guardian," "Minor," and "Parent" have the definition set forth in Section 8-16-020.
  - 2) "Possession" means to have physical possession or otherwise to exercise dominion or control over tangible property.
- b) Violation. A person commits the offense of failing to stop the illegal possession of a firearm if such person is a parent or guardian of a minor and
  - 1) knows that the minor possesses a firearm in violation of ordinances, laws, and statutes of this city, the County of Cook, the State of Illinois, or the United States; and
  - 2) fails to make reasonable efforts to stop the possession or report the possession to law enforcement.
- c) Penalties. Any person who violates any provision of this section shall be subject to a requirement to perform community service. For purpose of this subsection only, community service may include attending supportive social services. When issuing a citation for a violation of this section, the officer shall also provide, in writing, the person being cited with information, prepared in consultation with the Department of Family and Support Services, regarding supportive social services.

SECTION, 2. This ordinance shall be in full force and effect upon its passage and publication.  
Edward M. Burke Alderman, 14<sup>th</sup> Ward