

ORDINANCE NO. 02-16

**ORDINANCE AMENDING CHAPTER 19 OF THE VILLAGE
CODE RE STORAGE AND SALE OF FIREARMS**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees believe and hereby declare that it is in the best interests of the health and safety of the residents of the Village to amend the regulations set forth in Chapter 9, Article 4 of the Municipal Code relating to the registration and sale of firearms;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: Sections A and B of Chapter 19, Article 4, of the Municipal Code of the Village of Bolingbrook shall be and are hereby amended in their entirety so that said Sections A and B shall hereafter be and read as follows:

Section A - Registration of Sale of Firearms

Section 19-401. REGISTER TO BE KEPT. Any seller of firearms other than a manufacturer selling to a bona fide wholesaler or retailer or a wholesaler selling to a bona fide retailer, shall keep a register of all such firearms sold or given away and shall keep an inventory of all firearms in stock, which inventory shall list the wholesaler or other source of acquisition of the firearm, the serial number and the date of acquisition by the seller.

Section 19-402. INFORMATION REQUIRED. Such register shall contain the date of the sale or gift, the full name, address, age, physical description, the Firearms Owner Identification card number and occupation of the person to whom the firearm is sold or given, the price of the firearm, the kind of the firearm, the purpose for which it is purchased or obtained, and the number of the permit if such permit is required under Section 19-420 of this Article.

Section 19-403. POLICE INSPECTION. Such seller, on demand of a police officer, shall produce for inspection the register and inventory and allow such police officer to inspect such register and inventory and all stock in hand.

Section 19-404. FIREARM DEFINED. For the purpose of this Chapter the term firearm means any revolver, pistol, rifle, shotgun or device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, which may or may not be concealed upon the person, excluding however;

- (1) any device used exclusively for signaling or safety and required by the United States Coast Guard of the Interstate Commerce Commission; or
- (2) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition.

Section 19-405. AMMUNITION DEFINED. For the purpose of this Chapter the term ammunition includes all firearms ammunition and magazines, including pellets, bb's and paint balls.

Section B - Sale of Firearms, Other Weapons and Ammunition

Section 19-406. LICENSE REQUIRED. It shall be unlawful for any person or retailer to engage in the business of selling any concealable firearms, dagger, stiletto, billy, derring, dirk, or deadly weapons which can be concealed on the person, without securing a license from the Village of Bolingbrook to do so.

Section 19-407. APPLICATION. An application for said license shall be secured as provided by the Village Board of the Village of Bolingbrook. The Chief of Police shall approve said application before a license shall be issued.

Section 19-408. LICENSE FEE. The annual fee for said deadly weapon license shall be one thousand dollars (\$1,000.00).

Section 19-409. REVOCATION OF LICENSE. In case the Mayor shall determine that such licensee has violated any provision of this Chapter or any statute of the State of Illinois or of the United States which regulates or controls the sale of deadly weapons, after due notice and a hearing thereon, the Mayor shall revoke the license of such person for the selling of such weapons, and the money paid for such license shall be forfeited to the Village. No other license shall be issued to such licensee for a period of three (3) years thereafter.

Section 19-410. DISPLAY AND SALE OF WEAPONS AND AMMUNITION. Any seller of firearms, firearms ammunition, or other weapons, instruments or substance referred to in this Article 4, Chapter 19 cannot display said firearms, firearms ammunition, other weapons instruments or substances without first having the display approved by the Chief of Police or his agent and receive written permission granting approval for such display. Anyone purchasing firearms or firearms ammunition shall possess and produce a valid Firearm Owner Identification card issued by the State of Illinois, and the information contained thereon shall be recorded at the time of sale. Firearms ammunition shall be stored in a secure and locked location until such time as the product is sold. Firearms ammunition shall be in the custody or control of a competent person at all times who shall be at least twenty-one (21) years of age, and who shall be held responsible for compliance with all state, federal and local laws.

SECTION THREE: All other terms and conditions in Chapter 19 of the Municipal Code of the Village of Bolingbrook which are not expressly amended by this Ordinance are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FOUR: Any ordinance or resolution, or part thereof which conflicts with the provisions of this Ordinance is hereby expressly repealed to the extent of such conflict.

SECTION FIVE: This ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

PASSED THIS 26th day of February, 2002.

AYES: 5- Brown, Lawler, Morelli, Schroeter, Swinkunas

NAYS: None

ABSENT: 1 - Morales

APPROVED THIS 26th day of February, 2002.

ATTEST:


VILLAGE CLERK


MAYOR

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON FEBRUARY 27, 2002.

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STATE OF ILLINOIS)
COUNTIES OF WILL) SS
AND DU PAGE)

I, Carol S. Penning, certify that I am the duly elected and acting Village Clerk of the Village of Bolingbrook, Will and DuPage Counties, Illinois.

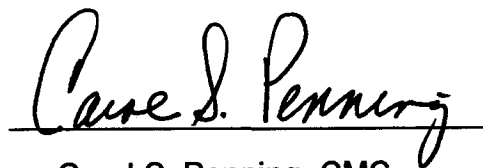
I further certify that on February 26th, 2002, the Corporate Authorities of such municipality passed and approved Ordinance No. 02-16 entitled:

AMENDING CHAPTER 19 OF THE VILLAGE CODE RE STORAGE AND SALE
OF FIREARMS

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 02-16, including the Ordinance and a cover sheet thereof, was prepared on February 27th, 2002. Copies of such Ordinance are available for public inspection upon request in the office of the Village Clerk.

DATED at Bolingbrook, Illinois, this 27th day of January, 2002.



Carol S. Penning, CMC
VILLAGE CLERK

