

5-2-5-13: WEAPONS RESTRICTIONS:**A. Unlawful Use of Weapons:****1. It shall be unlawful for any person to:**

a. Possess or carry any bludgeon, blackjack, slingshot, sand-club, sandbag, metal knuckles or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife; or

b. Carry or possess with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, or any other dangerous or deadly weapon or instrument of like character; or

c. 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; or

d. Carry concealed in any vehicle or concealed on or about his person, except when on his land or in his own abode or fixed place of business, any pistol, revolver or other firearm; or

e. Set a spring gun; or

f. Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

g. Possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen inches (18") in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails; or

h. Carry or possess any firearm or other deadly weapon in any place which is licensed to sell alcoholic liquor, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding any place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted within the limits of the Village.

2. The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in subsection A1g above, is prima facie evidence that it is in the possession of, and is being carried by, all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances:

a. If such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or

b. If such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his trade, then such presumption shall not apply to the driver.

3. Subsections A1c and A1d above shall not be construed to apply to any duly authorized and appointed police officer or agent of this Village, or of the State of Illinois, or of the United States, or to any member of the Armed Forces or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their duties. (1970 Code §6-2-3-15)

- B. **Firing or Discharging Weapons:** It shall be unlawful for any person to fire or discharge any firearm, air gun, slingshot, bow, crossbow or other device designed to fire, project or throw any stone, bullet or other hard substance within the Village; provided, however, that this Section shall not apply to any police officer discharging a firearm in the performance of his duty, nor any citizen from discharging any firearm when lawfully defending his person or property. (1970 Code §6-2-3-16)
- C. **Carrying Loaded Weapons:** It shall be unlawful for any person, except persons permitted by law, to have or carry any shotgun or rifle or air gun in or on any vehicle, unless such shotgun or rifle or air gun is dismantled to render it incapable of being fired or is unloaded when enclosed in a case; the mere removal of the bolt from a bolt-action rifle shall not be construed as dismantled so as to render it incapable of firing. (1970 Code §6-2-3-17)
- D. **Unlawful Display of Weapon:** It shall be unlawful for any person in possession of any weapon or device set forth in this Chapter to display or flourish any such weapon in a threatening or boisterous manner such as might alarm a reasonable man. (1970 Code §6-2-3-18)

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E. Confiscation and Disposition of Weapons:

1. Upon conviction of a violation of subsections A through D of this Section, any weapons seized shall be confiscated by the trial court.

2. Any stolen weapon so confiscated when no longer needed for evidentiary purposes shall be returned to the person entitled to possession if known. All other confiscated weapons when no longer needed for evidentiary purposes shall in the discretion of the trial court be destroyed or preserved as the property of the Village. (1970 Code §6-2-3-19)