

CHAPTER 21.

WEAPONS

(Amended in its Entirety by Ord. 20-52)

- §21-1. Carrying Concealed Weapons.
- §21-2. Sale, etc., of Firearms or Air Guns to Minors.
- §21-3. Sale, etc., of Certain Knives.
- §21-4. Control, Sale, Possession and Discharge of Air Rifles and B-B Guns Within the Village.
- §21-5. Sale or Transfer of Firearms—Registration.
- §21-6. Same--Purchase Approval; Inspection of Premises where Sold, etc.
- §21-7. Same--Bartering.

Sec. 21-1. Carrying Concealed Weapons.

It shall be unlawful to carry any concealed weapon within the Village in violation of the laws of the State, including but not limited to the Firearms Concealed Carry Act (430 ILCS 66/1 *et seq.*) or as may be hereafter amended. (Code 1959, §752; 20-52)

Sec. 21-2. Sale, etc., of Firearms or Air Guns to Minors.

It shall be unlawful for any person to sell or give away to any minor any firearm which can be concealed on the person within the corporate limits of the Village.

It shall be unlawful for any person to sell, loan or furnish to any person under the age of eighteen (18) years within the corporate limits of the Village any air gun, air rifle or air pistol. (Ord. 70-32; 20-52)

Sec. 21-3. Sale, etc., of Certain Knives.

It shall be unlawful for any person to sell, offer for sale or possess for the purpose of selling any knife, the blade of which shall open or be exposed by any push button, spring or mechanical device. (Ord. 70-32; 20-52)

Sec. 21-4. Control, Sale, Possession and Discharge of Air Rifles and B-B Guns Within the Village.

(A) Definitions.

Air rifle means and includes any air gun, air pistol, spring gun, spring pistol, B-B gun, pellet gun or any implement that is not a firearm which impels a pellet, BB, bead or other object constructed of plastic, metal, steel, lead, gel, polymer or other material with a force that reasonably is expected to cause bodily harm or other injury.

Dealer means any person, copartnership, association or corporation engaged in the business of selling at retail or renting any of the articles included in the definition of "air rifle."

- (B) Selling, renting or transferring to children prohibited.
- (1) It is unlawful for any dealer to sell, lend, rent, give or otherwise transfer an air rifle to any person under the age of eighteen (18) years where the dealer knows or has cause to believe the person to be under eighteen (18) years of age or where such dealer has failed to make reasonable inquiry relative to the age of such person and such person is under eighteen (18) years of age.
 - (2) It is unlawful for any person to sell, give, lend or otherwise transfer any air rifle to any person under eighteen (18) years of age except where the relationship of parent and child, guardian and ward or adult instructor and pupil, exists between such person and the person under eighteen (18) years of age, or where such person stands in loco parentis to the person under eighteen (18) years of age.
- (C) Possessing and discharging of bow and arrow, air gun and firearm.
- (1) It is unlawful for any person to possess any air rifle, whether carried by the person or transported in a vehicle, on any public streets, roads, highway or public lands within this Village, unless such person has in his/her possession a receipt for purchase of the air rifle that demonstrates that the air rifle was purchased that day and the air rifle is not loaded. This section shall not apply to or affect transportation of an air gun that meets one of the following conditions: (a) is broken down and in a nonfunctioning state; or (b) is not immediately accessible; or (c) is unloaded and enclosed in a case, firearm carrying box or shipping box, so that it may be transported from one location to another.
 - (2) It is unlawful for any person to discharge any bow and arrow or air rifle from or across any street, sidewalk, road, highway or public land or any public place except on a safely constructed target range.
 - (3) It is unlawful for any person to discharge any firearm in the Village, provided that this subsection shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty.
- (D) Permissive possession. Notwithstanding any provision of this section, it is lawful for any person under eighteen (18) years of age to have in his possession any air rifle if it is:
- (1) Kept within his house of residence or other private enclosure;
 - (2) Used by the person under eighteen (18) years of age and he/she is a duly enrolled member of any club, team or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range under the supervision, guidance and instruction of a responsible adult and then only if said air rifle is actually being used in connection with the activities of said club, team or society under the supervision of a responsible adult; or

- (3) Used in or on any private grounds or residence under circumstances when such air rifle is fired, discharged or operated in such a manner as not to endanger persons or property and then only if it is used in such manner as to prevent the projectile from passing over any grounds or space outside the limits of such grounds or residence.
- (E) Permissive sales. The provisions of this section do not prohibit sales of air rifles:
- (1) By wholesale dealers or jobbers;
 - (2) To be shipped out of the Village; or
 - (3) To be used at a target range operated in accordance with subsection (d) of this section or by members of the armed services of the United States or veterans' organizations.
- (F) Seizure and removal. A police officer shall seize, take, remove or cause to be removed at the expense of the owner, any air rifle sold, possessed or used in any manner in violation of this section. (Code 1959, §759; Ord. 08-12; 20-52; 24-53)

Sec. 21-5. Sale or Transfer of Firearms--Registration.

All persons dealing in private sales and not at retail or who gives away within the Village one or more of the following firearms:

- (A) Firearms of a size which may be concealed upon the person;
- (B) Shotguns;
- (C) Rifles;
- (D) Firearms of any description not above enumerated; shall keep a register of all such firearms sold or given away by them. Such register shall contain the date of the sale or gift, the name, address and age of the person to whom the firearm is sold or given away, the kind, description and number of the firearm and the purpose for which it is purchased or obtained. The register shall include the following information:
 - (1) Name and address of purchaser or obtainer.
 - (2) Type of identification and number of identification.
 - (3) Type of firearm, model, caliber or gauge, serial number.
 - (4) Manufacturer.
 - (5) Transaction date.

A Firearm Transaction Record Form 4473 is sufficient and shall satisfy the requirements of this section.

It shall be unlawful for any person to sell or give away to any person within the Village any firearm, unless such person so purchasing or receiving such firearm shall have a valid firearm owner's identification card as required by State law.
(Ord. 20-52)

Sec. 21-6. Same--Purchase Approval; Inspection of Premises where Sold, etc.

It shall be unlawful for any person to sell or give away to any person within the Village any firearm, unless such person so purchasing or receiving such firearm shall have a valid State gun owner's identification card and shall have secured approval for the purchase of such firearm from the Chief of Police. It shall be the duty of every person selling or giving away firearms to receive and keep such written approvals from the Chief of Police in a permanent file for inspection purposes. Every such person with a license to deal in firearms shall, on demand, allow the Chief of Police or his deputy to enter his premises during normal business hours for inspection of all stock on hand and shall, on request of such officer, produce for inspection all written approvals issued by the Chief of Police for the sale of such firearms and the register required to be kept by Section 21-5. It shall be the duty of the Chief of Police to refuse such approval to:

- (A) A person under twenty-one (21) years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.
- (B) A person under twenty-one (21) years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not have a currently valid firearm owner's identification card.
- (C) A person convicted of a felony under the laws of this or any other jurisdiction within the prior five (5) years or a person confined to a penitentiary within the prior five (5) years.
- (D) A person addicted to drugs.
- (E) A person who has been a patient of a mental institution within the past five (5) years.
- (F) A person who is mentally retarded.

In the case the Police Chief shall find the applicant not to possess any of the above disqualifications, it shall be his duty to grant such approval.

The Chief of Police shall complete such investigation within the waiting period prescribed under State law prior to delivery, unless extenuating circumstances are shown. (Ord. 70-32; 24-27)

Sec. 21-7. Same--Bartering.

The approval required by Section 21-6 shall not be required when bartering one (1) fireable

firearm for another fireable firearm. However, the individual must possess the valid State gun owner's identification card, and the information provided for in Section 21-5 must be furnished to the Chief of Police on the day of the barter. (Ord. 70-32; 24-27)