

NEW ITEMS

**Meeting of the Cook County Board of Commissioners
County Board Room, County Building
Tuesday, December 4, 2007, 10:00 A.M.**

PROPOSED ORDINANCE

ITEM #7

Submitting a Proposed Ordinance sponsored by

WILLIAM M. BEAVERS, County Commissioner

PROPOSED ORDINANCE

SAFE STREETS/WEAPONS REGISTRATION ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 58 Offenses and Miscellaneous Provisions, Article III Offenses Involving Public Safety, Division III, Section 58-130 through Section 58-145 of the Cook County Code are hereby enacted as follows:

Sec. 58-130. Short Title.

This Ordinance shall be known and may be cited as the "Safe Streets/Weapons Registration Ordinance."

Sec. 58-130.5. Definitions.

For purposes of this Division III, the following words or terms shall have the meaning or construction ascribed to them in this Section:

Ammunition

means cartridge cases, shells, projectiles (including shot), primers, bullets, propellant powder, or other devices or materials designed, or intended for use in a firearm or destructive device.

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Antique firearms means any firearm, including, but not limited to, any firearm with matchlock, flintlock, percussion cap or similar type of ignition system, which is incapable of being fired or discharged; or any firearm manufactured before 1898 for which cartridge ammunition is not commercially available and is possessed as a curiosity or ornament or for its historical significance or value.

Assault ammunition means any ammunition magazine having a capacity of more than twelve (12) rounds of ammunition.

Assault weapon means any of the following weapons:

(1) Assault Rifles

TABLE INSET:

AK 47 type	86S type
AK 47S type	86S7 type
AK 74 type	87S type
AKS type	Galil type
AKM type	Type 56 type
AKMS type	Type 56S type
84S1 type	Valmet M76 type
Arm type	Valmet M78 type
84S1 type	M76 counter sniper type
84S3 type	FAL type
HK91 type	L1A1A type
HK93 type	SAR 48 type
HK94 type	AUG type
G3SA type	FNC type
K1 type	Uzi carbine
K2 type	Algimec AGMI type
AR100 type	AR180 type
M24S type	MAS 223 type
SIG 550SP type	Beretta BM59 type
SIG 551SP type	Beretta AR70 type
Australian Automatic Arms	CIS SR88 type
SAR type	
SKS type with detachable magazine	
Colt AR-15	
Springfield Armory SAR-48	
Springfield Armory BM-59	
Bushmaster Auto Rifle	
Auto-Ordinance Thompson M1	
Ruger Mini 14/5F	
Federal XC-900 and XC-450	
Feather AT-9 Auto Carbine	

Goncz High Tech Carbine

Auto-Ordinance Thompson 1927A1

Iver Johnson PM30 P Paratrooper

(2)

Assault Pistols, Uzi type, Heckler & Koch Sp-89 type, Australian Automatic Arms SAP 1 Spectre Auto type, Sterling Mark 7 type; and,

(3)

Any weapon that the President, the Board, or the Sheriff defines by regulation as an assault weapon because the design or operation of such weapon is inappropriate for lawful use.

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Board means the Cook County Board of Commissioners.

Code means the Cook County Code of Ordinances.

Combination *handle* *lock*
means a device that is part of the handgun which precludes the use of the handgun unless the combination tumble properly aligned.

Corrections *officer*
means wardens, superintendents and keepers of prisons, penitentiaries, jails or other institutions for the detention persons accused or convicted of an offense.

County means the County of Cook, a body politic and corporate of Illinois.

Crime *of* *violence*
means any felony committed while armed with a weapon as defined in Article 33a of the Illinois Criminal Code of 1961, as amended (720 ILCS 5/33a, et seq.).

Division shall mean this Division III of Article III of Chapter 58 of the Cook County Code of Ordinances.

Disc *projectile* *ammunition*
means any ammunition which is composed of multiple disc shaped objects stacked together to form a single r ammunition, including but not limited to the following types of ammunition:

- (1) Magdisc type; and
- (2) Shatterdisc type.

Duty-related *firearm*
means any weapon which is authorized by any law enforcement agency to be utilized by their personnel in tl performance of their official duties.

Firearm
means any weapon which will, or is designed to or restored to, expel a projectile or projectiles by the action of explosive; the frame or receiver of any such device; or any firearm muffler or silencer. Provided, that such term shall not include:

- (1) antique firearm;
- (2) any device used exclusively for line-throwing, signaling, or safety and required or recommended by the United States Coast Guard or Interstate Commerce Commission; or
- (3) any device used exclusively for firing explosives, rivets, stud cartridges, or any similar industrial ammunition incapable of use as a weapon.

Fragmenting *bullet*
means a bullet that is designed or modified to shatter on impact, or any other bullet that is designed or modified so tl more than 50 percent of the mass of the bullet is likely to fragment inside a human or animal target.

Handgun

means a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such firearm can be assembled.

*Laser**sight**accessory*

means a laser sighting device which is either integrated into a firearm or capable of being attached to a firearm.

*Load**indicator*

means a device which plainly indicates that a bullet is placed in the handgun in a way that pulling the trigger or otherwise handling the handgun may result in detonation.

*Machine**gun*

means any firearm from which eight or more shots or bullets may be discharged by a single function of the firing device.

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Metal *piercing* *bullet*
means any bullet that is manufactured with other than a lead or lead alloy core, or ammunition of which the bullet itself is wholly composed of, or machined from, a metal or metal alloy other than lead, or any other bullet that is manufactured to defeat or penetrate bullet resistant properties of soft body armor or any other type of bullet resistant clothing which meets the minimum requirements of the current National Institute for Justice Standards for "Ballistic Resistance of Police Body Armor".

Ordinance means this Safe Streets/Weapons Ban Ordinance.

Organization
means partnership, company, corporation or other business entity, or any group or association of two or more persons united for a common purpose.

Peace officer
means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.

Person
means any individual, corporation, company, association, firm, partnership, society, joint stock company or organization of any kind.

President means the President of the Cook County Board of Commissioners, or his or her designee.

Safety mechanism
means a design adaptation or nondetachable accessory that lessens the likelihood of unanticipated use of the handgun other than the owner of the handgun and those specifically authorized by the owner to use the handgun.

Sawed-off shotgun
means a shotgun having a barrel of less than 18 inches in length or a firearm made from a shotgun if such firearm is modified and has an overall length of less than 26 inches or a barrel of less than 18 inches in length.

Security personnel
means special agents employed by a railroad or public utility to perform police functions: guards of armored companies, watchmen, security guards and persons regularly employed in a commercial or industrial operation for the protection of persons employed by or property related to such commercial or industrial operation.

Sheriff means the Sheriff of Cook County, Illinois.

Short-barreled rifle
means a rifle having any barrel less than 16 inches in length, or a modified firearm if such firearm as modified has an overall length of less than 26 inches or any barrel of less than 16 inches.

Solenoid use-limitation device
means a device which precludes, by use of solenoid, the firing of the handgun unless a magnet of the appropriate strength is placed in proximity to the handle of the weapon.

Trigger lock
means a device that when locked in place by means of a key, prevents a potential user from pulling the trigger of a handgun without first removing the trigger lock by use of the trigger lock's key.

Sec. 58-131. Unlawful to carry--Exceptions.

It shall be unlawful for any person to carry or maintain in any vehicle or about his or her person except when on his or her property or in his or her residence or fixed place of business, any rifle, shotgun, or other firearm; provided, that this section shall not apply to:

- (1) Peace officers or any person summoned by any such officers to assist in making arrests preserving the peace while he is actually engaged in assisting such officer;

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- (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty or commuting between their homes and places of employment;
- (3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty;
- (4) Special agents employed by a railroad to perform police functions, or employees of a detention agency, watchman-guard or patrolman agency, licensed by the State of Illinois, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment;
- (5) Agents and investigators of the Illinois Crime Investigating Commission authorized by the Commission to carry weapons, while on duty in the course of any investigation for the Commission;
- (6) Manufacture or transportation when the weapons are not immediately accessible to any person or sale of weapons to persons authorized under law to possess them;
- (7) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using firearms on such target ranges;
- (8) Duly authorized military or civil organizations while parading, with the special permission of the Governor;
- (9) Licensed hunters or fishermen while engaged in hunting or fishing; and,
- (10) Transportation of weapons broken down in a nonfunctioning state.

Sec. 58-131.5. Unlawful firearm or laser sight accessory in motor vehicle--Impoundment.

(a)

The owner of record of any motor vehicle that contains an unregistered firearm, a firearm that is not broken down in a nonfunctioning state, or a laser sight accessory shall be liable to the county for an administrative penalty of \$1,000.00 plus any towing and storage fees applicable under Section 58-164 of the Code. Any such vehicle shall be subject to seizure and impoundment pursuant to this section.

(b)

Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the Sheriff. Before or at the time the vehicle is towed, the police officer shall notify any person identifying himself as the owner of the vehicle at the time of the alleged violation, of the fact of the seizure and of the vehicle owner's right to request a vehicle impoundment hearing to be conducted under Section 58-164(d) of the Code.

(c) The provisions of Section 58-164 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.

Sec. 58-132. Registration of firearms.

(a)

All firearms in the County shall be registered in accordance with the provisions of this Division. It shall be the duty person owning or possessing a firearm to cause such firearm to be registered. No person shall within the County, possess, harbor, have under his control, transfer, offer for sale, sell, give, deliver, or accept any firearm unless such person is the holder of a valid registration certificate for such firearm. No person shall, within the County, possess harbor, have under his control, transfer, offer for sale, sell, give, deliver, or accept any firearm which is unregistered under the provisions of this chapter.

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(b) This section shall not apply to:

(1)

Firearms owned or under the direct control or custody of any federal, state or local governmental authority maintained in the course of its official duties;

(2)

Duty-related firearms owned and possessed by peace officers who are not residents of the County;

(3)

Duty-related firearms owned or possessed by corrections officers; provided, that such corrections officers are not residents of the County;

(4)

Firearms owned, manufactured or processed by licensed manufacturers of firearms, transporters or licensed sellers of firearms at wholesale or retail, provided that such persons have, in addition to any other license required by law, a valid deadly weapons dealer license issued under Section 54-151 of the Code;

(5)

Any nonresident of the County participating in any lawful recreational firearm-related activity in the County, or on his way to or from such activity in another jurisdiction; provided, that such weapon shall be unloaded and securely wrapped and that his possession or control of such firearm is lawful in the jurisdiction in which he resides;

(6)

Peace officers, while in the course of their official duties, who possess and control any firearm or ammunition issued by their department, bureau or agency in the normal course of business;

(7)

Private security personnel who possess or control any firearm or ammunition within the County; provided, that such firearms shall be owned and maintained by the security firm employing such personnel and shall be registered by the security firm in accordance with Division;

(8)

Those persons summoned by a peace officer to assist in making an arrest or preserving the peace while actually engaged in assisting the peace officer.

Sec. 58-132.5. Unregisterable firearms.

No registration certificate shall be issued for any of the following types of firearms:

(a) Sawed-off shotgun, machine gun, or short-barreled rifle;

(b)

Firearms other than handguns, owned or possessed by any person in the County prior to the effective date of this Ordinance which are not validly registered prior to the effective date of this Ordinance;

(c) Handguns, except:

(1)

Those validly registered to a current owner in the County prior to the effective date of Ordinance, and which contain each of the following:

- (i) A safety mechanism to hinder the use of the handgun by unauthorized users. Such devices shall include, but shall not be limited to, trigger locks, combination handle locks, and solenoid use-limitation devices; and,
 - (ii) A load indicator device that provides reasonable warning to potential users such that even users unfamiliar with the weapon would be forewarned and would understand nature of the warning;
- (2) Those owned by peace officers who are residents of the County,
 - (3) Those owned by security personnel,
 - (4) Those owned by private detective agencies licensed by the State of Illinois;

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(d) Firearm muffler or silencer;

(e)

Assault weapons, as defined in this Ordinance, unless they are owned by a person who is entitled to own them under Section 54-212 of the Code.

Any person who receives through inheritance any firearm validly registered pursuant to this Ordinance will be eligible to reregister such firearm within 60 days after obtaining possession or title, provided such person shall be qualified to do so in accordance with this Ordinance.

Sec. 58-133. Prerequisites to registration--Application for registration.

(a) No registration certificate shall be issued to any person unless such person:

(1)

Shall possess a valid Illinois Firearm Owner's Identification Card in accordance with the Firearm Owners Identification Card Act found at 430 ILCS 65, et seq., as amended;

(2)

Has not been convicted of a crime of violence, as defined herein as weapons offense, or violation of this Ordinance; and,

(3)

Has not been convicted within the five years prior to the application of any:

(i)

Violation of any law relating to the use, possession or sale of any narcotic or dangerous drug, or,

(ii)

Violation of Article 12-2 of the Criminal Code of 1961, as amended and found at 7 ILCS 5/12-2, for aggravated assault or any similar provision of the law of any jurisdiction; and,

(4)

Has vision better than or equal to that required to obtain a valid driver's license under the standards established by the Illinois Vehicle Code of the State of Illinois, as amended; and,

(5)

Is not otherwise ineligible to possess a firearm under any federal, state or local law, statute or ordinance.

(b)

All applicants for a registration certificate under this Ordinance shall file with the Sheriff on a form provided, in application in writing. The application shall include the following:

(1)

Name, social security number, residential and business address and telephone number of applicant;

(2)

The applicant's age, sex and citizenship;

- (3) The applicant's Illinois firearm owner's identification number;
 - (4) The name of manufacturer, the caliber or gauge, the model, type and the serial number identification of the firearm to be registered;
 - (5) The source from which the firearm was obtained;
 - (6) Evidence that the applicant meets the criteria of this Section;
 - (7) Two photographs of the applicant taken within 30 days immediately prior to the date of filing the application equivalent to passport size showing the full face, head and shoulders of applicant in a clear and distinguishing manner;
 - (8) Such other information as the superintendent shall find reasonably necessary to effectuate purpose of this Ordinance and to arrive at a fair determination whether the terms of this Ordinance have been complied with.
- (c) The Sheriff shall be the custodian of all applications for registration under this chapter.

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Sec. 58-133.5. Fingerprints.

When necessary to establish the identity of any applicant or registrant, such applicant or registrant shall be required to submit to fingerprinting in accordance with procedures and regulations prescribed by the Sheriff.

Sec. 58-134. Application fees.

(a)

A nonrefundable fee in the amount indicated in subsection (d) of this section shall accompany each initial registration.

(b)

A nonrefundable fee in the amount indicated in subsection (d) of this section shall accompany each reregistration application.

(c)

The registration fee shall not be applicable to (1) any duty-related handgun of a peace officer domiciled in the County, or (2) to any duty-related handgun(s) owned by a resident of the County who retired from the Sheriff's Police Department or any other municipal police department in good standing and without any disciplinary charges pending, and who is, or is eligible to become, an annuitant of any policemen's annuity and/or benefit fund, but only if that handgun(s) is registered in that person's name at the time of separation from active duty in the Sheriff's Police Department or any other municipal police department.

(d) Registration fees for firearms shall be as follows:

1 firearm . . . \$20.00

2--10 firearms . . . \$25.00

More than ten firearms . . . \$35.00

Sec. 58-134.5. Filing time.

(a)

A registration certificate shall be obtained prior to any person taking possession of a firearm from any source.

(b)

Any firearm currently registered must be reregistered pursuant to this chapter and in accordance with rules, regulations and procedures prescribed by the Sheriff.

An application to reregister such firearm shall be filed within 180 days from the effective date of this Ordinance provided, however, that this section shall not apply to law enforcement officers during their tenure of continuous active duty.

Sec. 58-135. Investigations.

Upon receipt of an application for registration of a firearm, the Sheriff shall investigate the information contained in said application to determine whether the application and firearm meet the requirements for registration under this Ordinance. Failure by the applicant or registrant to respond to investigation inquiries shall be sufficient grounds for denial or revocation.

Sec. 58-135.5. Issuance of registration certificate.

(a)

Upon receipt of a properly executed application for a registration certificate and the report of the Sheriff, the President upon determining that the applicant has complied with the provisions of this Ordinance, shall authorize the issuance of the registration certificate. Each registration certificate shall be in triplicate and bear a unique registration certificate number and contain such other information as may be necessary to identify the applicant and the firearm registered. The original of the registration certificate shall be retained by the Sheriff; the President and applicant shall each receive a copy.

(b)

The President shall approve or deny any application for a registration certificate within a 120-day period beginning on the date the Sheriff receives the application unless good cause is shown. In the case of an application to reregister a firearm currently registered, the President shall have 365 days after receipt of such application to approve or deny the application unless good cause is shown.

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(c)

Any application for registration or renewal shall be held in abeyance when there is a criminal proceeding for a crime of violence, or an offense involving a weapon, or a proceeding to revoke firearm registration pending against the applicant until such proceeding has terminated. In the case of a renewal of registration the then-current registration shall be deemed continuing until the termination of such proceedings.

(d)

Upon receipt of a registration certificate, each applicant shall examine the same to insure that the information thereon is correct. If the registration certificate is incorrect in any respect, the registrant thereon shall return it to the Sheriff with a signed statement showing the nature of the error. The Sheriff shall correct the error, if it occurred through administrative error.

In the event that the error resulted from incorrect information contained in the application, the applicant shall be required to file an amended application setting forth the correct information and a statement explaining the error in the original application. Each amended application shall be accompanied by a fee of \$2.00.

(e)

Each registration certificate authorized to be issued by the President shall be accompanied by a statement setting forth the registrant's duties under this chapter.

Sec. 58-136. Revocation--Denial.

A registration certificate shall be revoked or an application for registration or reregistration shall be denied by the mayor when she finds that:

(a) Any of the criteria in Section 58-133 of this Ordinance are not currently met; or

(b)

The registered firearm is or has become an unregistrable firearm under the terms of Section 58-132.5 of this Ordinance; or

(c)

The information furnished to the Sheriff on the application for registration certificate proves to be false; or

(d) The applicant or registrant has violated any of the provisions of this Ordinance.

Sec. 58-136.5. Procedures for denial or revocation.

(a)

If it is determined that an application for registration or reregistration should be denied or that a registration certificate should be revoked, the President shall notify the applicant or registrant in writing of the proposed denial or revocation, briefly stating the reason or reasons therefore.

(b)

The applicant or registrant, within ten days after receiving notice of the proposed denial or revocation, may file with the Office of the President a written request for reconsideration.

(c)

Within thirty days of receipt of a request for reconsideration, the Office of the President shall provide the applicant with a final determination which shall either affirm or reverse the denial.

(d)

In the case of an affirmation of a denial, the applicant may appeal the denial to the Chancery Division of the Circuit

Court of Cook County by filing a Writ for Administrative Review.

(e)

Within three days after notification of a decision unfavorable to the applicant or registrant and all time for appeal in accordance with this Section 58-136.5, the applicant or registrant shall:

(1)

Peaceably surrender to the Sheriff's Police Department, or any other municipal police department, the firearm for which the applicant was denied or the registration certificate revoked; or

(2)

Remove such firearm from the County; or

(3)

Otherwise lawfully dispose of his interest in such firearm.

(f)

The applicant or registrant shall submit to the Sheriff evidence of the disposition of nonregisterable firearms in accordance with Section 58-136.5(f)(2) and (3). Such evidence shall be submitted on forms and in the manner prescribed by the superintendent.

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Sec. 58-137. Additional duties of registrant.

Each person holding a registration certificate shall:

- (a) Immediately notify the Sheriff's Police Department on a form prescribed by the Sheriff of:
 - (1) The loss, theft or destruction of the registration certificate or of a registered firearm immediately upon discovery of such loss, theft, or destruction;
 - (2) A change in any of the information appearing on the registration certificate;
 - (3) The sale, transfer or other disposition of the firearm not less than 48 hours prior to delivery.

(b)

Immediately return to the Sheriff his copy of the registration certificate for any firearm which is lost, stolen, destroyed or otherwise disposed of.

(c)

Each registrant shall keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device, unless such firearm is in his possession at his place of residence or business or while being used for la recreational purposes within the County; provided, this paragraph shall not apply to law enforcement personnel n security personnel, both as defined in Section 58-130.5, while in the course of their employment.

Sec. 58-137.5. Exhibition of registration.

Any person carrying or having in his possession or under his custody or control any firearm, shall have on person or within his immediate custody a valid registration certificate for such firearm issued hereunder, which s exhibited for inspection to any peace officer upon demand. Failure of any such person to so exhibit his registrat certificate shall be presumptive evidence that he is not authorized to possess such firearm.

Failure of any person to exhibit a registration certificate for any firearm in his possession, custody or control shall also be cause for the confiscation of such firearms and revocation of any registration certificates issued therefc under this Division.

Sec. 58-138. Possession of ammunition.

No person shall possess ammunition in the County unless:

- (a) He is a person exempted pursuant to Section 58-132 of this Division; or

(b)

He is the holder of a valid registration certificate for a firearm of the same gauge or caliber as the ammunition possessed, and has the registration certificate in his possession while in possession of the ammunition; or

(c)

He is a licensed weapons dealer or a licensed shooting gallery or gun club pursuant to Chapter 54, Article III of the Code.

Sec. 58-138.5. Possession of laser sight accessories.

No person shall sell, offer, or display for sale, give, lend, transfer ownership of, acquire or possess any laser

sight accessory in the County provided, that this section shall not apply to any members of the armed forces of the United States, or the organized militia of this or any other state, and peace officers as defined in this Code to the extent that any such person is otherwise authorized to acquire or possess a laser sight accessory and is acting within the scope of his or her duties.

Sec. 58-139. Permissible sales and transfers of firearms and ammunition.

(a)

No firearm may be sold or otherwise transferred within the County except through a licensed weapons dealer as defined in Chapter 54, Article III of the Code.

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(b)

No ammunition may be sold or otherwise transferred within the County except through a licensed shooting gallery or gun club or a licensed weapons dealer as defined in Chapter 54, Article III of the Code or as otherwise allowed by the Code.

(c)

No firearm or ammunition shall be security for, or be taken or received by way of any mortgage, deposit, pledge or pawn.

(d)

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

(e)

A peace officer may additionally sell or transfer any lawfully held firearm or ammunition to another peace officer in accordance with the other provisions of this Division.

(f)

Except as allowed by subsection (e) of this section, no person may sell, offer for sale, barter or transfer within the County any ammunition listed in Section ____ of this Code.

Sec. 58-139.5. Firearm Owners Identification Card Act--Compliance required.

No person shall sell, give away or otherwise transfer any firearm, as defined in Section 58-130.5, with complying with the Firearm Owners Identification Card Act found at 430 ILCS 65, et seq., as amended.

Sec. 58-140. False information--Forgery--Alteration.

(a)

It shall be unlawful for any person purchasing any firearm or ammunition, or applying for any registration certificate under this Division, or, in giving any information pursuant to the requirements of this Division, to knowingly furnish false information or offer false evidence of identity.

(b)

It shall be unlawful for anyone to forge or alter any application or registration certificate submitted, retained or issued under this Division.

Sec. 58-140.5. Voluntary surrender--Immunity.

(a)

Within 90 days from the effective date of this Ordinance, a person within the County may voluntarily and peacefully deliver and abandon to the Sheriff or any chief of police of any municipal police department any firearm or ammunition prior to any arrest and prosecution of such person on a charge of violating any provisions of this Division with respect to the firearm or ammunition voluntarily delivered.

(b)

Delivery under this section may be made at any municipal police station, area or central headquarters or by summoning any municipal police officer to the person's residence or place of business. Any firearm or ammunition to be delivered and abandoned to the Sheriff or any chief of police of any municipal police department under this section shall be unloaded and securely wrapped in a package carried in open view.

(c)

The voluntary delivery or abandonment of any firearm or ammunition after an arrest or charge for violation of a provision of this Division shall not moot or in any manner invalidate said arrest or charge.

Sec. 58-141. Voluntary surrender of laser sight accessory--Immunity.

(a)

Within 14 days of the effective date of this Ordinance, a person within the County may voluntarily and peaceably deliver and abandon to the Sheriff or any chief of police of any municipal police department any laser sight accessory prior to any arrest and prosecution of such person on a charge of violating any provision of this Division with respect to the laser sight accessory voluntarily delivered.

(b)

Delivery under this section may be made at any municipal police district, area or central headquarters or by summoning any municipal police officer to the person's residence or place of business.

(c)

The voluntary delivery or abandonment of any laser sight accessory after an arrest or charge for violation of any provision of this Division shall not moot or in any manner invalidate said arrest or charge.

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Sec. 58-141.5. Renewal of registration.

(a)

Every registrant must renew his registration certificate annually. Applications for renewal shall be made by such registrants 60 days prior to the expiration of the current registration certificate.

(b) The application for renewal shall include the payment of a renewal fee as follows:

1 firearm . . . \$20.00

2--10 firearms . . . \$25.00

More than ten firearms . . . \$35.00

(c)

Failure to comply with the requirement for renewal of registration of a firearm shall cause that firearm to be unregistrable.

(d)

All terms, conditions and requirements of this Division for registration of firearms shall be applicable to renewal registration of such firearms.

(e)

The renewal fee shall not be applicable to duty-related handguns of peace officers domiciled in the County.

Sec. 58-142. Notice.

For the purposes of this Division, service of any notice, finding or decision upon an applicant or registrant shall be completed by any of the following methods:

(1) Personal delivery of a copy of such notice, finding or decision to the applicant or registrant; or

(2) By leaving a copy of such notice, finding or decision at the address identified on the application for registration or renewal; or

(3) By mailing a copy of the notice, finding or decision by certified mail with return receipt to the address identified on the application for registration or renewal; in which case service shall be complete as of the date the return receipt was signed.

Sec. 58-142.5. Destruction of weapons confiscated.

Whenever any firearm or ammunition is surrendered or confiscated pursuant to the terms of this Division, Sheriff shall ascertain whether such firearm or ammunition is needed as evidence in any matter.

If such firearm or ammunition is not required for evidence it shall be destroyed at the direction of the Sheriff. A record of the date and method of destruction and an inventory of the firearm or ammunition so destroyed shall be maintained.

Sec. 58-143. Authority of the President, Board, and the Sheriff.

The President, the Board, and the Sheriff shall have the authority to promulgate rules and regulations.

implementation of this Division and to prescribe all forms and the information required thereon.

Sec. 58-143.5. Acquisition or possession prohibited by law.

Nothing in this Division shall make lawful the acquisition or possession of firearms or firearm ammunition which is otherwise prohibited by law.

Sec. 58-144. Firearm used illegally--Penalty.

The owner of an unregistered firearm that is used in any criminal act shall be subject to a fine of \$1,000.00 for each such use, regardless of whether the owner participated in, aided or abetted the criminal act. A fine under this section shall be in addition to any other penalty imposed on the criminal act or use of the firearm.

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Sec. 58-144.5. Violation--Penalty.

Any person who violates any provision of this Division, where no other penalty is specifically provided, shall upon conviction, be fined not less than \$1,000.00, nor more than \$1,500.00; or be incarcerated for not more than months.

Sec. 58-145. Severability.

If any provision or term of this Division, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provisions or terms of this Division which reasonably can be given effect without the invalid provision or term for the application thereof.

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Collins, moved to suspend Section 2-108(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-108(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Collins, moved to suspend Section 2-108(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Beavers, seconded by Commissioner Peraica, moved that the Proposed Ordinance be referred to Committee on Legislation, Intergovernmental & Veterans Relations. (Comm. No. 290841). **The motion carried unanimously.**

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