



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 060584

Introduced June 15, 2006

Councilmembers Clarke and Miller

**Referred to the
Committee on Public Safety**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by adding a new Chapter entitled "Firearms Dealers," requiring certain licensing of persons who sell firearms, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

CHAPTER 9-3100. FIREARMS DEALER.

§9-3101. Definitions.

(1) "Firearm" means any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or the expansion of gas therein, including but not limited to any rifle, revolver, pistol or shotgun.

§9-3102. Prohibited Conduct.

(1) No person who does not have a valid firearms dealer license issued by the Department of Licenses and Inspections shall sell a firearm.

§9-3103. Powers and Duties of Department of Licenses and Inspections.

(1) The Department shall issue annual firearms dealer licenses and may adopt regulations regarding the issuance of such licenses under this Chapter.

§9-3104. Firearms Dealer License.

City of Philadelphia

BILL NO. 060584 continued

(1) *Application Requirements.* Applications for a firearms dealer license shall be made on forms to be supplied by the Department. No license shall be issued unless the applicant:

(a) provides the Department with a copy of the applicant's business privilege license and tax identification number;

(b) pays a non-refundable annual application fee of \$150.00;

(c) demonstrates possession of all applicable state and federal licenses; and

(d) complies with any additional requirements imposed by the Department by regulation.

§9-3105. *Disqualification for License.*

(1) An applicant shall be disqualified from receiving a license if the Department establishes good cause. Good cause for disqualification may be based on any combination of the following:

(a) an unusual incidence of firearms used in connection with crimes, or possessed unlawfully, that were originally purchased from the licensee, as determined by firearms trace data;

(b) an unusual incidence of crime associated with the licensee, such as thefts of firearms from the licensee;

(c) the licensee's conviction of a felony, crime of fraud or dishonesty or a crime involving a firearm; or

(d) revocation of any other required license or permit.

§9-3106. *License Suspension or Revocation.*

(1) The Department may suspend or revoke a license for good cause, as set forth in Section 9-3105.

§9-3107. *Penalties.*

(1) Any person who violates this Chapter or any regulation adopted pursuant to this Chapter shall have committed a Class III offense and be subject to the fines set forth in subsection 1-109(3) of The Philadelphia Code or to imprisonment not to exceed ninety (90) days or to both.

City of Philadelphia

BILL NO. 060584 continued

(2) *The Department is authorized to issue Cease Operations Orders directing that any violation of this Chapter cease immediately, pursuant to the procedures and requirements set forth in Section A-505 of Title 4 of this Code.*

Explanation:

Italics indicate new matter added.

City of Philadelphia

BILL NO. 060584 continued