



City of Philadelphia

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

BILL NO. 080752

Introduced October 16, 2008

Councilmembers Miller, Clarke, Jones, Greenlee, Tasco and Blackwell

**Referred to the
Committee on Public Safety**

AN ORDINANCE

Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by amending Section 10-818, entitled "Firearms in Public Places," by creating mandatory penalties for the illegal public carrying of firearms in the City of Philadelphia.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Chapter 10-800 of The Philadelphia Code is amended to read as follows:

CHAPTER 10-800. SAFETY.

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§ 10-818. Firearms in Public Places.

(1) Definition.

Firearms. "Firearms" means any revolver, pistol, rifle, shotgun or other weapon capable of propelling a projectile by means of an explosive material or charge.

(2) Prohibited Conduct. No person shall carry a firearm upon the public streets or upon any public property at any time unless that person is:

(a) licensed by the Commonwealth of Pennsylvania to carry a firearm or licensed to hunt;

(b) actively engaged in a defense of his life or property from imminent peril or threat; or

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(c) a police officer or member of the State or Federal militia on active duty.

(3) Penalty. ~~The penalty for violation of this Section shall be a fine of not less than three hundred (300) dollars and imprisonment of not less than ninety days.~~

a) The penalty for any initial violation of any Section of this Chapter is a fine of nineteen hundred dollars (\$1,900) for each violation committed during calendar year 2008; and two thousand dollars (\$2,000) for each violation committed thereafter.

b) The penalty for any subsequent violation shall be the same as in section (3)(a) and imprisonment of not less than 90 days.

c) Any person in violation of this Section while operating a vehicle, whether or not the firearm in his or her direct possession, may be subject to immediate confiscation of said vehicle by the Police Department, regardless of ownership.

d) Except as otherwise set forth in code, the procedures set forth in Chapter 12-2400 shall apply to the seizure or immobilization of a vehicle pursuant to this Section.

Explanation:

~~Strikethrough~~ indicate matter deleted.

Italics indicate new matter added.