

City of Philadelphia



(Bill No. 040114)

AN ORDINANCE

Amending Section 10-800 of the Philadelphia Code, entitled “Safety” by adding a new Section 10-833 entitled “Possession of Weapons on School Property” to prohibit the possession of weapons in and around educational institutions; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-800 of the Philadelphia Code, entitled “Safety” is amended to add a new Section 10-833 to read as follows:

Section 10-833. Possession of Weapons on School Property.

(a) Definitions.

“Weapon.” For purposes of this section the term shall include, but not be limited to, any firearm, shotgun, rifle, knife, cutting instrument, cutting tool, nun-chuck stick, and any other tool, instrument or implement capable of inflicting serious bodily injury.

(b) Prohibited Conduct.

No person shall knowingly possess a weapon or knowingly cause a weapon to be present, whether openly or concealed, in the buildings of, within one hundred (100) feet of, or in any conveyance providing transportation to or from any elementary or secondary publicly-funded educational institution, any elementary or secondary private school licensed by the Pennsylvania Department of Education or any elementary or secondary parochial school.

(c) Exceptions. The prohibitions set forth in subsection (b) shall not apply to:

(1) The lawful performance of official duties by any full-time officer, agent or employee of the United States, the Commonwealth or a political subdivision who is authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of any violation of law.

(2) The lawful performance of official duties by a school official.

(d) Penalties.

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The penalty for violation of this section shall be a fine of not more than three hundred (\$300.00) dollars, or imprisonment of not more than ninety (90) days, or both. The fine may be imposed through the confiscation of the illegally possessed weapon by the City of Philadelphia Police Department, said weapon to be melted down or rendered inoperable thereafter.

SECTION 2. This Ordinance shall become effective upon the enactment of authorizing legislation by the Pennsylvania Assembly.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 29, 2004. The Bill was Signed by the Mayor on May 12, 2004.



Patricia Rafferty
Chief Clerk of the City Council