



# City of Philadelphia

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

**BILL NO. 010634**

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**Introduced November 1, 2001**

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**Councilmembers Cohen, Nutter, Miller, Council President Verna,  
Councilmembers Krajewski, Tasco, Blackwell, O'Neill, Ortiz, Reynolds  
Brown, Longstreth and Goode**

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**Referred to the  
Committee on Public Safety**

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## **AN ORDINANCE**

Amending Chapter 10-800 of The Philadelphia Code entitled "Safety," to add a new Section 10-828 entitled "Firearms and Other Dangerous Weapons in City Hall," and amending Section 10-810 of The Philadelphia Code related to Weapons and Dangerous Devices, by making findings regarding the need to further regulate firearms and other dangerous weapons, by prohibiting and establishing penalties for the possession of weapons in City Hall and by authorizing the confiscation and surrender of such weapons in certain circumstances; all subject to 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 10-828 to read as follows:

#### *SECTION 10-828. Firearms and Other Dangerous Weapons in City Hall.*

(1) *Legislative Findings.*

- (a) *The Council finds that the possession of firearms and other dangerous weapons in City Hall represents a clear and present danger to the functioning of democratic government of the City of Philadelphia.*
- (b) *The Council finds that in particular, the carrying of weapons, both concealed and openly, in the chambers and offices of City Council represents a clear and present threat to the lives of elected public officials.*

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- (c) *The Council finds that in order to protect the elected officers of the City of Philadelphia from potentially lethal violence, it is necessary to supplement the prohibitions of Pennsylvania laws by prohibiting the possession and carrying of firearms and other dangerous weapons in City Hall, subject to certain exceptions.*
- (2) *Definitions.*
- "Dangerous weapon." A bomb, grenade, blackjack, sandbag, metal knuckles, dagger, knife (the blade of which is exposed in an automatic way by switch, push-button, spring mechanism or otherwise) or other implement for the infliction of serious bodily injury which serves no common lawful purpose.*
- "Firearm." Any weapon, including a starter gun, which will or is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas.*
- (3) *Prohibited conduct. No person shall knowingly possess a firearm or other dangerous weapon, or knowingly cause a firearm or other dangerous weapon to be present, whether openly or concealed, inside City Hall.*
- (4) *Exceptions. The prohibitions set forth above shall not apply to:*
- (a) *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.*
- (b) *The lawful performance of official duties by a court official.*
- (c) *The carrying of rifles and shotguns by instructors and participants in a course of instruction provided by the Pennsylvania Game Commission under 34 Pa. C.S. §2704 (relating to eligibility for license).*
- (d) *Associations of veteran soldiers and their auxiliaries or members of organized armed forces of the United States or the Commonwealth, including reserve components, when engaged in the performance of ceremonial duties with county approval.*
- (e) *The carrying of a dangerous weapon or firearm unloaded and in a secure wrapper by an attorney who seeks to employ the dangerous weapon or firearm as an exhibit or as a demonstration and who possesses written*

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*authorization from the court to bring the dangerous weapon or firearm into the court facility.*

(5) *Posting of notice. Notice of the provisions of subsections (3) and (6) shall be posted conspicuously at each public entrance to City Hall and no person shall be convicted of an offense under subsection (3) if the notice was not so posted at each public entrance to City Hall unless the person had actual notice of the provisions of subsection (3).*

(6) *Facilities for checking firearms. The Philadelphia Police Department shall make available lockers or similar facilities at no charge or cost for the temporary checking of firearms by persons carrying firearms under Section 6108 of Title 18 of the Pennsylvania Consolidated Statutes.*

(7) *Penalties. Any person violating any provision of this Section shall be subject to a fine of not more than three hundred (300) dollars and to imprisonment for not more than ninety (90) days or both.*

SECTION 2. Section 10-810 of The Philadelphia Code is hereby amended to read as follows:

SECTION 10-810. Weapons and Dangerous Devices.

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(6) *Penalties. Whoever violates any provision of this Section, [or] Section 10-821 or Section 10-828 shall, in addition to other penalties provided, forfeit the weapon, contraband, or dangerous device giving rise to the violation of such action.*

(7) *Confiscation. Police officers shall seize and deliver into departmental custody any air gun, air pistol, spring gun, switch blade knife, incendiary paper, contraband weapons, accessories and/or ammunition, *firearm*, *dangerous weapon* or other implement which shall be used, discharged, possessed, offered for sale or carried in violation of Section 10-810, [or] 10-821 or 10-828.*

SECTION 3. Severability.

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given without the invalid provision or application.

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**Explanation:**

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