

Legislation Text

File #: 080752, Version: 0

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.

* * *

§ 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
- (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.