

Legislation Text

File #: 170674-A, **Version:** 1

Amending Section 10-825 of The Philadelphia Code, entitled "Stun Guns," by further providing for the regulation of stun guns, also known as electric or electronic incapacitation devices, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 10-825 of The Philadelphia Code is hereby amended to read as follows:

§ 10-825. Stun Guns.

(1) Definitions.

(a) Stun Gun. Any device *designed or intended by the manufacturer to be used to temporarily immobilize or incapacitate a person by means of electric pulse or current, including devices operating by means of carbon dioxide propellant; [which expels or projects a projectile which, upon coming in contact with a person, is capable of inflicting injury or an electric shock to such] [person.] also known as an electric or electronic incapacitation device.*

(2) Prohibited Conduct.

(a) No person *under eighteen (18) years of age* shall own, use, possess, sell or otherwise transfer any "stun gun".

(b) *The parent, legal guardian or other legally responsible adult of any child under the age of eighteen (18) years who violates subsection 10-825(2)(a) shall be in violation of this Section and shall be responsible for payment of any fines assessed against the adult's minor child.*

(c) *No person shall sell, transfer or otherwise provide a stun gun to a person under the age of eighteen (18) years.*

(3) *Nothing in this Section is intended to lessen or weaken any additional restrictions imposed by State law relating to stun guns.*

(3) Penalty.

(a) Any person violating [any provision] *subsection 10-825(2)(a) or (b)* of this Section shall be subject to a fine of not more than [three] *five* hundred [(300)] (500) dollars;

(b) *Any person violating subsection 10-825(2)(c) hereof shall be subject to a fine of not more than two thousand (2,000) dollars [and/or imprisonment for not more than ninety (90) days].*

(c) The procedures set forth in § 1-112 of this Code shall not apply to violations of subsection 10-825(2)(c) of this Section. Such procedures shall apply to violations of subsections 10-825(2)(a) and (b), but the amount to be remitted under § 1-112(3) shall be not less than \$150.00.

Explanation:

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