

(Published by the Authority of the City Council of the City of Chicago)

COPY



**JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL
of the
CITY of CHICAGO, ILLINOIS**

Special Meeting -- Wednesday, July 17, 2013

at 10:00 A.M.

(Council Chamber -- City Hall -- Chicago, Illinois)

OFFICIAL RECORD.

RAHM EMANUEL
Mayor

SUSANA A. MENDOZA
City Clerk

Attendance At Meeting.

Present -- The Honorable Rahm Emanuel, Mayor, and Aldermen Moreno, Fioretti, Dowell, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Burke, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Maldonado, Ervin, Graham, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein.

Absent -- Aldermen Burns, Solis, Burnett, Reilly.

Call To Order.

On Wednesday, July 17, 2013 at 10:00 A.M., the Honorable Rahm Emanuel, Mayor, called the City Council to order. The Honorable Susana A. Mendoza, City Clerk, called the roll of members and it was found that there were present at that time: Aldermen Moreno, Fioretti, Dowell, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Burke, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Maldonado, Ervin, Graham, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein -- 46.

Quorum present.

Pledge Of Allegiance.

Alderman Balcer led the City Council and assembled guests in the Pledge of Allegiance to the Flag of the United States of America.

Invocation.

Rabbi Tzvi Bider, Executive Director of Chicago Center for Torah and Chesed, opened the meeting with prayer.

Rules Suspended -- GRATITUDE EXTENDED TO CITY OF CHICAGO EMPLOYEES MARY BAGGETT AND ALFREDA CLARK FOR COURAGEOUS RESCUE OF INNOCENT CHILD FROM WOULD-BE KIDNAPPER.

[R2013-660]

The Honorable Rahm Emanuel, Mayor, presented the following communication:

OFFICE OF THE MAYOR
CITY OF CHICAGO

July 17, 2013.

To the Honorable, the City Council of the City of Chicago:

LADIES AND GENTLEMEN -- I transmit herewith a congratulatory resolution concerning Alfreda Clark and Mary Baggett.

Your favorable consideration of this resolution will be appreciated.

Very truly yours,

(Signed) RAHM EMANUEL,
Mayor.

Alderman Burke moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the said proposed resolution. The motion *Prevailed*.

The following is said proposed resolution:

WHEREAS, On the morning of Thursday, June 6, 2013, a 10-year-old boy was walking to school in the Englewood neighborhood when he stopped in an alley between Sangamon and Morgan Streets to tie his shoes; and

WHEREAS, As he bent down, the boy noticed a man rushing towards him. Afraid for his safety, the boy began running down the alley, eluding the grasping hands of the man who was now chasing closely behind; and

WHEREAS, Just blocks away, two Chicago Department of Streets and Sanitation workers, Alfreda Clark and Mary Baggett, were surveying a lot near the corner of 71st and South Morgan Street when they saw the boy run between two vacant buildings nearby; and

WHEREAS, Ms. Clark approached the boy and, sensing fear on his face, twice asked if he was OK, to which the boy replied that he was being chased. As they spoke, the man emerged from the alley, noticed the conversation, and continued walking; and

WHEREAS, Ms. Clark and Ms. Baggett then took the boy to their car, where they called 911 and briefly followed the man until they could get a detailed description to convey to the police; and

WHEREAS, Ms. Clark and Ms. Baggett then brought the boy to his sister's house, returning him safely to his family and receiving their tremendous gratitude; and

WHEREAS, Shortly afterwards, the Chicago Police caught the man nearby, in the 7000 block of South Carpenter Street, after officers were sent a message with Ms. Clark and Ms. Baggett's clear description; and

WHEREAS, Thanks to the keen sense of awareness, quick thinking, and bravery in the face of danger of these two City of Chicago employees, the man is in custody and the boy is free from harm; and

WHEREAS, Ms. Clark and Ms. Baggett's actions went well above and beyond their call of duty, and epitomize the strength of Chicagoans when confronted with a perilous situation, especially when the well-being of our children is at stake; now, therefore,

Be It Resolved, That we, the Mayor and members of the City Council of the City of Chicago, assembled this 17th day of July 2013, do hereby honor Mary Baggett and Alfreda Clark of the City of Chicago Department of Streets and Sanitation for their courageous rescue of an innocent boy from the hands of a would-be kidnapper; and

Be It Further Resolved, That a suitable copy of this resolution be presented to Mary Baggett and Alfreda Clark, and placed on permanent record in their personnel files, as a token of our appreciation and esteem.

On motion of Alderman Burke, seconded by Aldermen Fioretti, Dowell, Harris, Pope, Balcer, Thomas, Suarez, Mell, Austin, Mitts, Cullerton and Laurino, the foregoing proposed resolution was *Adopted* by a viva voce vote.

At this point in the proceedings, the Honorable Rahm Emanuel, Mayor, rose and on behalf of the people of Chicago, extended appreciation to Department of Streets and Sanitation workers Alfreda Clark and Mary Baggett for their caring and conscientious actions in coming to the aid of a young boy in fear for his safety. Praising Ms. Clark and Ms. Baggett for their willingness to become involved in a potentially dangerous situation, Mayor Emanuel declared them not only true public servants but examples for all Chicagoans of our individual and collective responsibility for the safety of our children. Providing safe passage for our children to and from school allows students to reflect on their studies and not their safety, the Mayor observed, and through passage of legislation today we move closer to that goal. Citing the harsher penalties imposed for violations concerning assault weapons and student safe passage routes as a mechanism for change, Mayor Emanuel noted the importance each of us play in eradicating the scourge of guns and violence in our neighborhoods and called upon Chicagoans in every community to replace the code of silence with a moral code and code of conduct. Mayor Emanuel then invited Alfreda Clark and Mary Baggett to the Mayor's rostrum where he presented each with a parchment copy of the congratulatory resolution.

REGULAR ORDER OF BUSINESS RESUMED.

Placed On File -- CALL FOR SPECIAL MEETING.

[F2013-39]

The Honorable Susana A. Mendoza, City Clerk, informed the City Council that the following call for a special meeting was filed in her office on July 11, 2013, at 10:55 A.M.:

OFFICE OF THE MAYOR
CITY OF CHICAGO

July 17, 2013.

Honorable Susana A. Mendoza
City Clerk
City Hall, Room 107
121 North LaSalle Street
Chicago, Illinois 60602

DEAR MS. MENDOZA -- I hereby call a special meeting of the City Council of the City of Chicago, to be convened at 10:00 A.M. on Wednesday, July 17, 2013 in the City Council Chamber in City Hall, for the sole purposes of considering and voting on: (1) an ordinance amending the Municipal Code regarding assault weapons and (2) an ordinance amending the Municipal Code regarding student safety zones.

Very truly yours,

(Signed) RAHM EMANUEL,
Mayor.

REPORTS AND COMMUNICATIONS FROM CITY OFFICERS.

Rules Suspended -- AMENDMENT OF CHAPTER 8-4 OF MUNICIPAL CODE BY ADDING NEW SECTION 8-4-355 AND MODIFYING SECTIONS 8-20-300, 8-24-020 AND 8-24-027 REGARDING SCHOOL SAFETY ZONES AND SAFE PASSAGE ROUTES.

[O2013-5494]

The Honorable Rahm Emanuel, Mayor, presented the following communication:

OFFICE OF THE MAYOR
CITY OF CHICAGO

July 17, 2013.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN -- I transmit herewith an ordinance amending the Municipal Code regarding student safety zones and safe passage routes.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

(Signed) RAHM EMANUEL,
Mayor.

Alderman Burke moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the said proposed ordinance. The motion *Prevailed*.

On motion of Alderman Burke, the said proposed ordinance was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Fioretti, Dowell, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Burke, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Maldonado, Ervin, Graham, Reboyas, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein -- 46.

Nays -- None.

Alderman Pope moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The Municipal Code of Chicago is hereby amended by adding a new Section 8-4-355, as follows:

Reserved 8-4-355 Enhanced Penalties For Offenses Committed In Student Safety Zones.

(a) Definitions.

For purposes of this section, the following definitions apply:

(1) "School" means any public, private, or parochial elementary, middle, or secondary school in the City of Chicago.

(2) "School zone" means:

(A) in a school or on its grounds; or

(B) within 1,000 feet of the grounds of a school.

(3) "School activity" means any extracurricular event occurring in a school (the "host school") or on its grounds that is announced to the public via the Internet at least one day in advance. The online announcement shall state the starting and ending times of the event. If the event does not have a set ending time, the announcement shall state an estimated ending time. If an event is not announced online at least one day in advance, or if the online announcement does not state both the starting time and the set or estimated ending time, the event does not qualify as a "school activity" for purposes of this section.

(4) "Safe passage route" means any portion of the public way designated by the Mayor of the City of Chicago, or his designee, for use by students travelling to and from a particular school (the route's "associated school"). The locations of safe passage routes and the identities of their associated schools shall be made available to the public via the Internet.

(5) "Student safety zone" means:

(A) any school zone between the hours of 6:00 A.M. and 7:00 P.M. on any day the school is in session;

(B) the school zone of any host school during any school activity, and within 60 minutes before the starting time and 60 minutes after the set or estimated ending

time of such school activity, as announced online pursuant to subsection (a)(3) of this section;

(C) any safe passage route between the hours of 6:00 A.M. and 7:00 P.M. on any day the associated school is in session;

(D) any safe passage route during any school activity at the route's associated school, and within 60 minutes before the starting time and 60 minutes after the set or estimated ending time of such school activity, as announced online pursuant to subsection (a)(3) of this section;

(E) inside any moving or stationary school bus being used to transport school children;

(F) any public park that has a boundary line within a school zone between the hours of 6:00 A.M. and 7:00 P.M. on any day the school is in session; and

(G) any public park that has a boundary line within the host school zone during any school activity, and within 60 minutes before the starting time and 60 minutes after the set or estimated ending time of such school activity, as announced online pursuant to subsection (a)(3) of this section.

(b) Penalties.

(1) The following enhanced penalties shall apply to violations of Sections 8-20-075 and 8-20-085 of this Code that occur in student safety zones:

(A) the penalty for a first offense shall be a fine of not less than \$1,000.00 nor more than \$5,000.00, and incarceration for a term not less than 120 days nor more than six months;

(B) the penalty for a second offense shall be a fine of not less than \$5,000.00 nor more than \$15,000.00, and incarceration for a term not less than 150 days nor more than six months; and

(C) the penalty for a third or subsequent offense shall be a fine of not less than \$10,000.00 nor more than \$20,000.00, and incarceration for a term of six months.

(2) The following enhanced penalties shall apply to violations of Section 8-20-060 of this Code that occur in student safety zones:

(A) the penalty for a first offense shall be a fine of not less than \$1,000.00 nor more than \$5,000.00, and incarceration for a term not less than 30 days nor more than six months;

(B) the penalty for a second offense shall be a fine of not less than \$5,000.00 nor more than \$15,000.00, and incarceration for a term not less than 90 days nor more than six months; and

(C) the penalty for a third or subsequent offense shall be a fine of not less than \$10,000.00 nor more than \$20,000.00, and incarceration for a term of six months.

(3) The following enhanced penalties shall apply to violations of Sections 8-24-020 and 8-24-027 of this Code that occur in student safety zones:

(A) the penalty for a first offense shall be a fine of not less than \$500.00 nor more than \$1,000.00, and incarceration for a term not less than 30 days nor more than six months;

(B) the penalty for a second offense shall be a fine of not less than \$1,000.00 nor more than \$2,000.00, and incarceration for a term not less than 90 days nor more than six months; and

(C) the penalty for a third or subsequent offense shall be a fine of not less than \$2,000.00 nor more than \$5,000.00, and incarceration for a term of six months.

SECTION 2. Section 8-20-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

8-20-300 Violation -- Penalty.

(a) Unless the enhanced penalty imposed by subsection 8-4-355(b)(2) of this Code applies, ~~Any~~ person who violates Sections 8-20-020, 8-20-030, 8-20-060, or 8-20-080 shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 20 days nor more than 90 days.

Unless the enhanced penalty imposed by subsection 8-4-355(b)(1) of this Code applies, ~~Any~~ person who violates Sections 8-20-035, 8-20-075, 8-20-085, 8-20-110, or 8-20-280 shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 90 days nor more than 180 days.

(Omitted text is not affected by this ordinance.)

SECTION 3. Section 8-24-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

8-24-020 Carrying Dangerous Weapons.

(Omitted text is not affected by this ordinance.)

(g) Unless the enhanced penalty imposed by Section 8-4-355(b)(3) of this Code applies, Any person violating the provisions of subsections (a), (c), (d), or (f) of this section shall be fined \$200.00 for each offense, or shall be punished by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.

(Omitted text is not affected by this ordinance.)

SECTION 4. Section 8-24-027 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

8-24-027 Disguised Firearms Prohibited.

(Omitted text is not affected by this ordinance.)

(b) Unless the enhanced penalty imposed by subsection 8-4-355(b)(3) of this Code applies, Any person who violates subsection (a) of this section shall be incarcerated for not less than 30 days and not more than 180 days for each offense. Each day of a continuing violation, and each purchase, acquisition, sale, offering or exposing for sale, or possession of a different firearm described in subsection (a) shall constitute a separate and distinct offense.

(Omitted text is not affected by this ordinance.)

SECTION 5. The amendments in this ordinance to Section 8-20-300 of the Municipal Code of Chicago are intended to operate in harmony with the amendments to that section in the Assault Weapons Ban Ordinance, which is being introduced concurrently. In the event the Assault Weapons Ban Ordinance does not go into effect on or before September 30, 2013, the references in this ordinance to Sections 8-20-075 and 8-20-085 of the Municipal Code of Chicago shall be deemed excised from this ordinance.

SECTION 6. In light of the urgent need to activate the deterrent effect of these enhanced penalties before the beginning of the 2013 school year, pursuant to 65 ILCS 5/1-2-4, this ordinance shall take effect immediately upon its passage and approval, if such passage is by a vote of at least two-thirds of the members of this Council. In the event this ordinance passes by a majority vote of less than two-thirds of the members of this Council, it shall take effect ten days after passage and publication.

Rules Suspended -- AMENDMENT OF CHAPTER 8-20 OF MUNICIPAL CODE BY ADDING NEW SECTION 8-20-075, MODIFYING SECTIONS 8-20-010, 8-20-070, 8-20-085, 8-20-250, 8-20-300 AND DELETING SECTION 8-20-170 CONCERNING ASSAULT WEAPONS.

[O2013-5493]

The Honorable Rahm Emanuel, Mayor, presented the following communication:

OFFICE OF THE MAYOR
CITY OF CHICAGO

July 17, 2013.

To the Honorable, The City Council of the City of Chicago:

LADIES AND GENTLEMEN -- I transmit herewith an ordinance amending the Municipal Code regarding assault weapons.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

(Signed) RAHM EMANUEL,
Mayor.

Alderman Burke moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the said proposed ordinance. The motion *Prevailed*.

On motion of Alderman Burke, the said proposed ordinance was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Fioretti, Dowell, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Burke, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Maldonado, Ervin, Graham, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein -- 46.

Nays -- None.

Alderman Pope moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

Be It Ordained By The City Council Of The City Of Chicago:

SECTION 1. Chapter 8-20 of the Municipal Code of Chicago is hereby amended by adding a new section 8-20-075, by repealing section 8-20-170, by adding the language underscored and by deleting the language struck through, as follows:

8-20-010 Definitions.

For purposes of this chapter the following terms shall apply:

(Omitted text is unaffected by this ordinance.)

“Assault weapon” means any of the following, regardless of the caliber of ammunition accepted:

(a) (1) A semiautomatic rifle that has the ability to accept a detachable magazine and has one or more of the following:

(i A) a folding, or telescoping ~~or detachable~~ stock;

(ii B) a handgun grip ~~which protrudes conspicuously beneath the action;~~

(iii C) a ~~bayonet mount~~ forward grip;

(iv D) a ~~flash suppressor or a barrel having a threaded~~ barrel muzzle;

(v E) a grenade, ~~flare or rocket~~ launcher; or

(vi F) a barrel shroud.

(2) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

(3) A semiautomatic version of an automatic rifle.

(4) Any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machine gun.

(2 5) A semiautomatic shotgun that has one or more of the following:

- (i A) a folding, ~~or~~ telescoping or detachable stock;
- (ii B) a handgun grip which ~~protrudes conspicuously beneath the action;~~
- (iii C) a fixed magazine with the capacity to accept more than in excess of 5 rounds;
- (iv D) ~~an ability to accept a detachable magazine~~ a forward grip; or
- (E) a grenade, flare or rocket launcher.

(3 6) A semiautomatic handgun that has ~~an~~ the ability to accept a detachable magazine and has one or more of the following:

- (i A) ~~an ammunition magazine that attaches to the handgun outside the handgun grip the capacity to accept a detachable magazine at some location outside of the handgun grip;~~
- (ii B) ~~a barrel having a threaded muzzle~~ a threaded barrel;
- (iii C) ~~a shroud that is attached to, or partially or completely encircles the barrel, and permits the shooter to hold the firearm with the non-trigger hand without being burned~~ a barrel shroud; or
- (iv D) ~~a manufactured weight of 50 ounces or more when the handgun is unloaded~~ a second handgun grip.
- (v) ~~a semiautomatic version of an automatic firearm.~~

(7) A semiautomatic version of an automatic handgun.

(8) A semiautomatic handgun with a fixed magazine that has the capacity to accept more than 15 rounds.

(9) A machine gun.

(10) All of the following rifles, including any copies or duplicates thereof with the capability of any such weapon:

(A) All AK types, including the following:

- (i) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM

- (ii) IZHMASH Saiga AK
- (iii) MAADI AK47 and ARM
- (iv) Norinco 56S, 56S2, 84S, and 86S
- (v) Poly Technologies AK47 and AKS.

(B) All AR types, including the following:

- (i) AR-10
- (ii) AR-15
- (iii) Armalite M15 22LR Carbine
- (iv) Armalite M15-T
- (v) Barrett REC7
- (vi) Beretta AR-70
- (vii) Bushmaster ACR
- (viii) Bushmaster Carbon 15
- (ix) Bushmaster MOE series
- (x) Bushmaster XM15
- (xi) Colt Match Target Rifles
- (xii) DoubleStar AR rifles
- (xiii) DPMS Tactical Rifles
- (xiv) Heckler & Koch MR556
- (xv) Olympic Arms
- (xvi) Remington R-15 rifles
- (xvii) Rock River Arms LAR-15
- (xviii) Sig Sauer SIG516 rifles
- (xix) Smith & Wesson M&P15 rifles

- (xx) Stag Arms AR rifles
- (xxi) Sturm, Ruger & Co. SR556 rifles.
- (C) Barrett M107A1.
- (D) Barrett M82A1.
- (E) Beretta CX4 Storm.
- (F) Calico Liberty Series.
- (G) CETME Sporter.
- (H) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.
- (I) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.
- (J) Feather Industries AT-9.
- (K) Galil Model AR and Model ARM.
- (L) Hi-Point Carbine.
- (M) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.
- (N) Kel-Tec Sub-2000, SU-16, and RFB.
- (O) SIG AMT, SIG PE-57, Sig Sauer SG 550, and Sig Sauer SG 551.
- (P) Springfield Armory SAR-48.
- (Q) Steyr AUG.
- (R) Sturm, Ruger Mini-14 Tactical Rifle M-14/20CF.
- (S) All Thompson rifles, including the following:
 - (i) Thompson M1SB
 - (ii) Thompson T1100D
 - (iii) Thompson T150D
 - (iv) Thompson T1B

- (v) Thompson T1B100D
- (vi) Thompson T1B50D
- (vii) Thompson T1BSB
- (viii) Thompson T1-C
- (xi) Thompson T1D
- (x) Thompson T1SB
- (xi) Thompson T5
- (xii) Thompson T5100D
- (xiii) Thompson TM1
- (xiv) Thompson TM1C.

- (T) UMAREX UZI Rifle.
- (U) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.
- (V) Valmet M62S, M71S, and M78.
- (W) Vector Arms UZI Type.
- (X) Weaver Arms Nighthawk.
- (Y) Wilkinson Arms Linda Carbine.

(11) All of the following handguns, including any copies or duplicates thereof with the capability of any such weapon:

- (A) All AK-47 types, including the following:
 - (i) Centurion 39 AK handgun
 - (ii) Draco AK-47 handgun
 - (iii) HCR AK-47 handgun
 - (iv) IO, Inc. Hellpup AK-47 handgun
 - (v) Krinkov handgun

(vi) Mini Draco AK-47 handgun

(vii) Yugo Krebs Krink handgun.

(B) All AR-15 types, including the following:

(i) American Spirit AR-15 handgun

(ii) Bushmaster Carbon 15 handgun

(iii) DoubleStar Corporation AR handgun

(iv) DPMS AR-15 handgun

(v) Olympic Arms AR-15 handgun

(vi) Rock River Arms LAR 15 handgun.

(C) Calico Liberty handguns.

(D) DSA SA58 PKP FAL handgun.

(E) Encom MP-9 and MP-45.

(F) Heckler & Koch model SP-89 handgun.

(G) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.

(H) Kel-Tec PLR 16 handgun.

(I) The following MAC types:

(i) MAC-10

(ii) MAC-11

(iii) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol

(iv) Military Armament Corp. Ingram M-11

(v) Velocity Arms VMAC.

(J) Sig Sauer P556 handgun.

(K) Sites Spectre.

(L) All Thompson types, including the following:

(i) Thompson TA510D

(ii) Thompson TA5.

(M) All UZI types, including Micro-UZI.

(12) All of the following shotguns, including any copies or duplicates thereof with the capability of any such weapon:

(A) Franchi LAW-12 and SPAS 12.

(B) All IZHMAISH Saiga 12 types, including the following:

(i) IZHMAISH Saiga 12

(ii) IZHMAISH Saiga 12S

(iii) IZHMAISH Saiga 12S EXP-01

(iv) IZHMAISH Saiga 12K

(v) IZHMAISH Saiga 12K-030

(vi) IZHMAISH Saiga 12K-040 Taktika.

(C) Streetsweeper.

(D) Striker 12.

(13) All belt-fed semiautomatic firearms, including TNW M2HB.

(14) Any combination of parts from which a firearm described in subparagraphs (1) through (13) can be assembled.

(15) The frame or receiver of a rifle or shotgun described in subparagraph (1), (2), (5), (9), (10), (12), (13), or (18).

(16) A sawed-off shotgun.

(17) A short-barrel rifle.

(18) A .50 caliber rifle.

(b) An "assault weapon" shall not include any firearm that:

(1) is manually operated by bolt, pump, lever, or slide action;

(2) has been rendered permanently inoperable. "Permanently inoperable" means a firearm which is incapable of discharging a projectile by means of an explosive and incapable of being restored to a firing condition; or

(3) is an antique firearm.

(c) For purposes of this definition of "assault weapon" the following terms apply:

(1) "barrel shroud" means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel. The term does not include (i) a slide that partially or completely encloses the barrel; or (ii) an extension of the stock along the bottom of the barrel which does not completely or substantially encircle the barrel.

(2) "detachable magazine" means an ammunition feeding device that can be removed from a firearm without disassembly of the firearm action.

(3) "fixed magazine" means an ammunition feeding device that is permanently fixed to the firearm in such a manner that it cannot be removed without disassembly of the firearm.

(4) "folding, telescoping, or detachable stock" means a stock that folds, telescopes, detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise to enhance the concealability, of a firearm.

(5) "forward grip" means a grip located forward of the trigger that functions as a handgun grip.

(6) "rocket" means any simple or complex tubelike device containing combustibles that on being ignited liberate gases whose action propels the device through the air and has a propellant charge of not more than 4 ounces.

(7) "grenade, flare or rocket launcher" means an attachment for use on a firearm that is designed to propel a grenade, flare, rocket, or other similar device.

(8) "handgun grip" means a grip, a thumbhole stock, or any other part, feature or characteristic that can function as a grip.

(9) "threaded barrel" means a feature or characteristic that is designed to allow for the attachment of a device such as a firearm silencer or a flash suppressor.

(10) "belt-fed semiautomatic firearm" means any repeating firearm that:

- (i) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round;
- (ii) requires a separate pull of the trigger to fire each cartridge; and
- (iii) has the capacity to accept a belt ammunition feeding device.

(11) ".50 caliber rifle" means a centerfire rifle capable of firing a .50 caliber cartridge. The term does not include any antique firearm, any shotgun including a shotgun that has a rifle barrel, or any muzzle-loader which uses black powder for hunting or historical re-enactments.

(12) ".50 caliber cartridge" means a fixed cartridge in .50 BMG caliber, either by designation or actual measurement, that is capable of being fired from a centerfire rifle. ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber.

(Omitted text is unaffected by this ordinance.)

"High capacity magazine" means ~~any ammunition magazine having a capacity of more than 12 rounds of ammunition~~ a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of more than 15 rounds of ammunition. A "high capacity magazine" does not include an attached tubular device to accept, and capable of operating only with, .22 caliber rimfire ammunition.

(Omitted text is unaffected by this ordinance.)

8-20-070 Unlawful Firearm, Laser Sight Accessory, Or Firearm Silencer Or Muffler In A Motor Vehicle -- Impoundment.

(a) The owner of record of any motor vehicle that contains ~~a firearm registered to a person who is not the driver or occupant of the vehicle, an unregistered firearm, a firearm~~

~~that is not being lawfully transported, an unregistrable firearm, an assault weapon, a laser sight accessory, or a firearm silencer or muffler, shall be liable to the city for an administrative penalty of \$2,000 plus any towing and storage fees applicable under Section 9-92-080. If the violation takes place within 500 feet of the boundary line of a public park or elementary or secondary school, the penalty shall be \$3,000 plus towing and storage fees. Any such vehicle shall be subject to seizure and impoundment pursuant to this section.~~

(Omitted text is unaffected by this ordinance.)

8-20-075 Possession Of Assault Weapons.

(a) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess an assault weapon.

(b) This section shall not apply to corrections officers, members of the armed forces of the United States, or the organized militia of this or any other state, and peace officers, to the extent that any such person is otherwise authorized to acquire or possess assault weapons, and is acting within the scope of his duties, or to any person while engaged in the manufacturing, transportation or sale of assault weapons to people authorized to possess them under this section.

(c) Notwithstanding subsection (a):

(1) Any person who lawfully possesses a firearm that on the effective date of this section became prohibited as being an assault weapon has 60 days after the effective date of this section to legally dispose of, or remove from the city, the assault weapon.

(2) Any person who is a qualified retired law enforcement officer, as that term is defined in 18 U.S.C. §926C, and who lawfully possessed a duty-related assault weapon at the time of separation from active duty in law enforcement, shall legally dispose of, or remove from the city, the assault weapon within 60 days of such separation.

(d) Any assault weapon carried, possessed, displayed, sold or otherwise transferred in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.

8-20-085 High Capacity Magazines And Certain Tubular Magazine Extensions Metal Piercing Bullets -- Sale And Possession Prohibited -- Exceptions.

(a) It is unlawful for any person to carry, possess, sell, offer or display for sale, or otherwise transfer any high capacity magazine or tubular magazine extension for a shotgun, metal-piercing bullets. This section shall not apply to corrections officers, members of the

armed forces of the United States, or the organized militia of this or any other state, and peace officers, to the extent that any such person is otherwise authorized to acquire or possess a high capacity magazine or tubular magazine extension for a shotgun metal piercing bullets, and is acting within the scope of his duties, or to any person while in the manufacturing, transportation or sale of high capacity magazines or tubular magazine extension for a shotgun metal piercing bullets to people authorized to possess them under this section.

(b) Any high capacity magazine, or tubular magazine extension for a shotgun metal piercing bullets carried, possessed, displayed, sold or otherwise transferred in violation of this section is hereby declared to be contraband and shall be seized by and forfeited to the city.

~~8-20-170 Unregisterable firearms:~~

~~No registration certificate shall be approved for any of the following types of firearms:~~

- ~~(a) a sawed-off shot gun, .50 caliber rifle, machine gun, or short-barreled rifle;~~
- ~~(b) an unsafe handgun;~~
- ~~(c) a firearm that becomes unregisterable under the provisions of this chapter; provided that it shall only be unregisterable for that person; or~~
- ~~(d) assault weapons, unless they are owned by a person who is entitled to carry or possess them pursuant to section 8-20-035.~~

8-20-250 Seizure And Forfeiture Of Firearms, Ammunition, Laser Sight Accessories And Firearm Silencers And Mufflers -- Authority And Destruction.

The superintendent has the authority to seize any firearm, assault weapon, ammunition, laser sight accessories, or firearm silencer or muffler carried or possessed in violation of this chapter or any applicable state or federal law. Such items are hereby declared contraband and shall be seized by and forfeited to the city.

Whenever any firearm, ammunition, laser sight accessories, or firearm silencer or muffler is surrendered or forfeited pursuant to the terms of this chapter, or any applicable state or federal law, the superintendent shall ascertain whether such firearm, ammunition, assault weapon, laser sight accessories, or firearm silencer or muffler is needed as evidence in any matter. All such items which are not required for evidence shall be destroyed at the direction of the superintendent; provided that those firearms and ammunition that the superintendent shall deem to be of use to the department may be retained for the use of the department. A record of the date and method of destruction and an inventory of the firearm or ammunition so destroyed shall be maintained.

Nothing in this section shall be construed to regulate any firearm or ammunition to the extent that such regulation is preempted.

8-20-300 Violation -- Penalty.

(a) Any person who violates Sections 8-20-020, 8-20-030, 8-20-060 or 8-20-080 shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00 and be incarcerated for a term not less than 20 days nor more than 90 days.

Any person who violates Sections 8-20-035, 8-20-075, 8-20-085, 8-20-110 or 8-20-280 shall upon conviction be fined not less than \$1,000.00 nor more than \$5,000.00 and be incarcerated for a term of not less than 90 days nor more than 180 days.

(Omitted text is unaffected by this ordinance.)

SECTION 2. (a) Notwithstanding any provision in the Municipal Code to the contrary, the superintendent of police shall establish a pilot program within 30 days of the effective date of this ordinance to authorize one or more professional theatrical armorers to import, manufacture, possess, loan or rent theatrical props, under the following conditions:

- (1) the professional theatrical armorer submits a written request to the superintendent in a form and manner prescribed by the superintendent;
- (2) the professional theatrical armorer engages in such business solely for a professional theatrical purpose;
- (3) the professional theatrical armorer imports, manufactures, or possesses any theatrical prop in accordance with applicable state laws, and the Gun Control Act of 1968, or the National Firearm Act of 1934, or both; and
- (4) the professional theatrical armorer complies with a safety plan, approved by the superintendent, for the safe storage, handling, possession, loan or rental of the theatrical props.

The superintendent shall grant such authorization in conjunction with a specific professional theatrical production or event and for only such time as is necessary for the professional theatrical armorer to support that production or event in the City.

(b) The superintendent is authorized to promulgate rules and regulations to implement the requirements of this section, including requirements for the safety plan, the safe storage and handling of the theatrical props, and any other restriction, including restrictions on the type or caliber of theatrical props used, which the superintendent deems necessary for public safety.

(c) For purposes of this section the following definitions apply:

- (1) "Professional theatrical armorer" means a person who:
 - (i) is a licensed manufacturer, licensed importer, or licensed dealer under Chapter 44 of Title 18, United States Code;

- (ii) is registered under Section 5802 of the National Firearms Act of 1934; and
- (iii) derives not less than 80 percent of the business revenue from the use of firearms for a professional theatrical purpose, or can demonstrate to the satisfaction of the superintendent that he is widely recognized as a federal firearms licensee engaged in the business of manufacturing, importing, possessing, loaning or renting theatrical props for purposes of distribution, loan or rental for a professional theatrical purpose.

(2) "Professional theatrical purpose" means the use of a theatrical prop by a professional theatrical armorer, or by a person recognized under federal law as having the authority to maintain dominion and control over such theatrical props for the armorer, in a motion picture, live professional theatre, or television production.

(3) "Theatrical prop" means: (i) any blank ammunition, ammunition feeding device, or firearm modified or adapted to fire blank ammunition, or any component thereof; or (2) any other non-firearm dangerous or deadly weapon prohibited under the Municipal Code.

(d) This section expires on January 1, 2014.

SECTION 3. The City Council finds that prompt passage of this legislation is an urgent matter, in light of the potential for enormous harm that assault weapons can cause and the importance of maintaining clear, continuous and effective regulation of firearms. Accordingly, pursuant to 65 ILCS 5/1-2-4, this ordinance shall take effect immediately upon its passage and approval, if such passage is by a vote of at least two-thirds of the members of this Council. In the event this ordinance passes by a majority vote of less than two-thirds of the members of this Council, it shall take effect ten days after passage and publication.

MISCELLANEOUS BUSINESS.

PRESENCE OF VISITORS NOTED.

The following individuals were in attendance and recognized by the City Council:

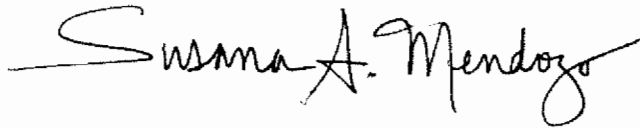
employees of the Department of Streets and Sanitation: Alfreda Clark and Mary Baggett, accompanied by Commissioner Charles L. Williams and 1st Deputy Commissioner Randy Connor;

Elizabeth Dozier, Principal of Fenger High School;

members of The ARK of St. Sabina Community Youth Center: Trevon Bosley, Asante Hamilton, Raheem Tyler, Raushan Parham, Nia Lewis, Jazmin Lewis, Camille Montgomery, Jasmine Abernathy, Tatianna Burton, Davida Haile, Taylor Martin, Jimmy Smith, Jessica Jones, Jaylene White, Denzel Bradley, Kiyana Adams, Ian Jackson, Kristina Bogan, Lamar Johnson, accompanied by Violence Prevention Manager Pam D. M. Bosley of The ARK of St. Sabina.

Adjournment.

Thereupon, Alderman Burke moved that the City Council do Adjourn. The motion *Prevailed* and the City Council *Stood Adjourned*.

A handwritten signature in black ink, reading "Susana A. Mendoza". The signature is fluid and cursive, with the first name "Susana" being larger and more prominent than the last name "Mendoza".

SUSANA A. MENDOZA,
City Clerk.

APPENDIX A

LEGISLATIVE INDEX

JOURNAL of the PROCEEDINGS of the CITY COUNCIL of the CITY of CHICAGO, ILLINOIS

Special Meeting – Wednesday, July 17, 2013

Main Category List

**LEGISLATIVE INDEX
JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL
of the
CITY of CHICAGO, ILLINOIS**

Special Meeting – Wednesday, July 17, 2013

City Council

City Departments/Agencies

Commendations & Declarations

Municipal Code Amendments

Abbreviations And Acronyms

A

Admin.	Administration
Agcy.	Agency
a.k.a.	Also Known As
Ald.	Alderman
AME	African Methodist Episcopal Church
ANLAP	Adjacent Neighbors Land Acquisition Program
App.	Application
Apt(s).	Apartment(s)
Assn.	Association
Assoc.	Associates
Asst.	Assistant
Atty.	Attorney
Ave	Avenue
A.M.	Ante Meridian

B

B.A..	Bachelor of Arts
Bd. of Ed.	Board of Education
Bldg.	Building
Bhp.	Bishop
Blvd	Boulevard
Bro.	Brother

C

Capt.	Captain
Card.	Cardinal
CDBG	Community Development Block Grant
CDC	Community Development Commission
CEO	Chief Executive Officer
CFD	Chicago Fire Department
CFO	Chief Financial Officer
CHA	Chicago Housing Authority
Chap.	Chapter
Chpl.	Chaplain
Chgo.	Chicago
Co.	Company
Col	Colonel
Com.	Committee/Community
Comdr.	Commander
Coml.	Commercial
Comm.	Commerce/Commission

C

Comr.	Commissioner
Condo	Condominium
Co-Op	Cooperative
Corp.	Corporation
Corpl.	Corporal
Constr.	Construction
CPA	Certified Public Accountant
CPD	Chicago Police Department/
CPS	Chicago Public Schools
Ct	Court
CTA	Chicago Transit Authority

D

DARLEP	Digital Automated Red Light Enforcement Program
d.b.a.	Doing Business As
Deferred	Action Deferred
deg.	Degree(s)
Det.	Detective
Dept.	Department
Devel.	Developer/Development
Dist.	District
Div.	Division
Dr.	Doctor
Dr	Drive

E

E	East
EAV	Equalized Assessed Value
eb	eastbound
Elem.	Elementary
EMT	Emergency Medical Technician
Eng'r	Engineer
Equip.	Equipment
Exchg.	Exchange
Exec. Dir.	Executive Director
Expy.	Expressway

F

FAA	Federal Aviation Administration
Fahr.	Fahrenheit
FAR	Floor Area Ratio
FBI	Federal Bureau of Investigation
FDA	Federal Drug Administration
F.F.	Firefighter
Filed	Placed on File
Fr.	Father

Abbreviations And Acronyms

F

ft.	feet
f.k.a.	formerly known as

G

Gen.	General
Govt.	Government

H

Hon.	Honorable
hrs.	Hours
HUD	Housing and Urban Development
Hwy.	Highway
HQ	Headquarters

I

IDOT	Illinois Dept. of Transportation
IL	Illinois
Inc.	Incorporated
Ind.	Industries
Ins.	Insurance
Insp. Gen.	Inspector General
Inst'l.	Institutional
IPD	Institutional Planned Development

J

Jr.	Junior
-----	--------

L

LCpl	Lance Corporal
LLC	Limited Liability Company
LP	Limited Partnership
Lt.	Lieutenant
Ltd.	Limited
LUCHA	Latin United Community Housing Association

M

Maj.	Major
M.B.	Missionary Baptist
MBA	Master of Business Administration
MBE	Minority Business-Owned Enterprise
MWBE	Minority Women Business Enterprise
Mfg.	Manufacturing

M

MFT	Motor Fuel Tax
Mgmt.	Management
mins.	Minutes
MOPD	Mayors Office for People with Disabilities
Msgr.	Monsignor
Mun.	Municipal

N

N	North
Natl.	National
NFP	Not-for-profit corporation
No.	Number

O

Off.	Officer
Org.	Organization

P

pg(s)	page(s)
PhD	Doctor of Philosophy
Pkg.	Package/Parking
Pkwy	Parkway
Pl	Place
Plz	Plaza
P.M.	Post Meridian
P.O.	Police Officer
PFC	Private First Class

R

RA	Very Reverend
Rd.	Road
Re-Ref.	Re-Referred
Redevel.	Redevelopment
Ref.	Referred
Rehab.	Rehabilitation
Res.	Residence/Residential
Rest.	Restricted/Restaurant
Rev.	Reverend
ROTC	Reserve Officer's Training Corps
ROW	Right-of-way
RR	Railroad
Rt. Rev.	Right Reverend
Ry.	Railway
RTA	Regional Transportation Authority

Abbreviations And Acronyms

Q

Q1	1 st Quarter (Jan – Mar)
Q2	2 nd Quarter (Apr – Jun)
Q3	3 rd Quarter (Jul – Sep)
Q4	4 th Quarter (Oct – Dec)

S

S	South
St.	Saint
Sch.	School
Sgt.	Sergeant
SFC.	Sergeant First Class
Sist.	Sister
Soc.	Society
Sq.	Square
Sr.	Senior
SSA	Special Service Area
SSgt.	Staff Sergeant
St	Street
Subdiv.	Subdivision
Supt.	Superintendent

T

Terr	Terrace
thru	through
TIF	Tax Increment Financing
Trans.	Transportation

U

Univ.	University
U.S.	United States
u.t.a.	Under trust agreement
Util.	Utility

V

v	versus (against)
Veh.	Vehicle

W

W	West
---	------

Y

YMCA	Young Men's Christian Association
YWCA	Young Women's Christian Association

Zoning Districts

B	Business
BPD	Business Planned Development
C	Commercial
CPD	Commercial Planned Development
DC	Downtown Core
DX	Downtown Mixed-Use
DR	Downtown Residential
DS	Downtown Service
M	Manufacturing
PD	Planned Development
PMD	Planned Manufacturing
POS	Parks and Open Space
R	Residential
RM	Residential Multi-Unit
RPD	Residential Planned Development
RS	Residential Single Unit (Detached House)
RT	Residential Two-Flat, Townhouse and Multi-Unit
SD	Special Character Overlay

OFFICE OF THE CITY CLERK

Date: 7/17/2013

CITY COUNCIL LEGISLATIVE INDEX

1

CITY COUNCIL

Special Meetings

July 17, 2013 at 10:00 A.M.

Emanuel (Mayor)

F2013-39

Filed [C.J.p. 57256]

CITY DEPARTMENTS/AGENCIES

Police

Superintendent of Police urged to establish pilot program authorizing professional theatrical armorers to import, manufacture, possess, loan or rent theatrical props

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

COMMENDATIONS & DECLARATIONS

Baggett, Mary

Courageous rescue of innocent child

Emanuel (Mayor)

R2013-660

Referred

Adopted [C.J.p. 57254]

Clark, Alfreda

Courageous rescue of innocent child

Emanuel (Mayor)

R2013-660

Referred

Adopted [C.J.p. 57254]

MUNICIPAL CODE AMENDMENTS

Title 8 - Offenses Affecting Public Peace, Morals & Welfare

Ch. 20 Weapons

8-20-010 modifying and expanding definition of assault weapon

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

8-20-070 (a) modifying penalty provision governing unlawful firearm, laser sight accessory, firearm silencer or muffler, and assault weapon in motor vehicle

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

8-20-075 (new) (a) (b) (c) restricting sale, manufacture, transfer or possess assault weapons and providing time frame for legal disposal or forfeiture

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

MUNICIPAL CODE AMENDMENTS

Title 8 - Offenses Affecting Public Peace, Morals & Welfare

Ch. 20 Weapons

8-20-170 deleting Section governing unregistrable firearms

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

8-20-250 modifying provision for seizure, forfeiture and destruction of firearms, ammunition, laser sight accessories, firearm silencer and mufflers

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

8-20-300 (a) (b) modifying penalty provision to include violation of Section 8-20-075 regarding assault weapons

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

8-20-300 (a) modifying penalty provision by excluding violations committed in student safety zones

Emanuel (Mayor)

O2013-5494

Passed [C.J.p. 57257]

8-20-85 (a) (b) modifying prohibition to carry, possess, sell, offer, display for sale or transfer high capacity magazine, by including tubular magazine extension for shotgun

Emanuel (Mayor)

O2013-5493

Passed [C.J.p. 57262]

Ch. 24 Firearms & Other Weapons

8-24-020 (g) modifying penalty provision for carrying dangerous weapons by excluding violations committed in student safety zones

Emanuel (Mayor)

O2013-5494

Passed [C.J.p. 57257]

8-24-027 (b) modifying penalty provision for possession, acquisition or sale of disguised firearms by excluding violations committed in student safety zones

Emanuel (Mayor)

O2013-5494

Passed [C.J.p. 57257]

Ch. 4 Public Peace & Welfare

8-4-355 (new) (a) (b) establishing enhanced penalties for offenses committed in student safety zones

Emanuel (Mayor)

O2013-5494

Passed [C.J.p. 57257]