

ILLINOIS

*How Illinois Communities
Are Addressing the Epidemic
of Firearm Violence*



Communities
on the
Move
2003

LCAV LEGAL COMMUNITY AGAINST VIOLENCE



*Firearms
Law Center*

INTRODUCTION

In Illinois, firearms killed 6,371 people from 1996 to 2000, including 1,247 who were age 19 and under.¹ The vast majority of the time, the firearm in question was a handgun.

Illinois Communities on the Move was established by Legal Community Against Violence (LCAV) and its project, the Firearms Law Center, to track actions taken by cities, villages and counties throughout the state to combat firearm violence.

In the summer of 2002, a Firearms and Ammunition Local Ordinance Survey was sent to approximately 350 of Illinois' largest cities, villages and counties, and a comprehensive review of their on-line codes was undertaken. Within each jurisdiction, the survey was distributed to numerous local officials, including: mayors and other local legislators; city, village and board clerks; municipal and state's attorneys; corporate counsels; and chiefs of police and sheriffs.

As of July 1, 2003, over 140 jurisdictions had either responded to the survey or made their firearms-related codes available for review. Based on that information, we determined that **96** cities/villages and **2** counties have adopted at least **271** significant firearms regulations. Local provisions that simply duplicate state law, and common ordinances such as discharge bans, are not counted for the purposes of this summary.

This booklet presents a summary of the survey and ordinance information accumulated to date. Jurisdictions are listed as having enacted a specific provision only if a copy of that law was obtained and reviewed by LCAV and the Firearms Law Center. Code citations and more detailed ordinance descriptions are available through our web site, www.firearmslawcenter.org, or you can call us at (415) 433-2062.

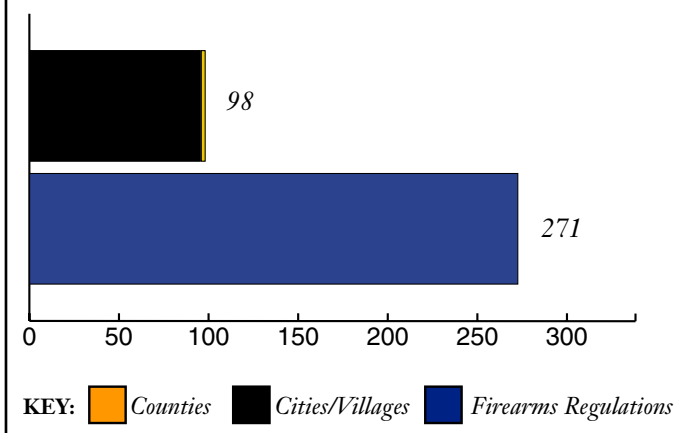
LCAV was founded in 1993 in response to an assault weapon massacre in San Francisco. LCAV's sole purpose is to provide legal assistance in support of gun violence prevention. We believe that community education and action are critical to achieving meaningful firearms policies

and to ending America’s gun violence epidemic. By making legal information and expertise easily available, LCAV empowers communities to take violence prevention measures that are effective and legally defensible.

In 2001, LCAV created the Firearms Law Center to provide a free national resource for legal information and expertise to support effective firearms regulation. Most of our assistance is focused on options that can be pursued at the state or local levels. The Center conducts legal research and analysis, develops regulatory strategies, drafts gun regulations, and engages in educational outreach. The Center's web site, www.firearmslawcenter.org, is the most comprehensive site for information on firearms regulation in the United States.

TABLE OF CONTENTS

Assault Weapons	4
Carrying Concealed Weapons	4
Child Access Prevention	6
Dealer Regulations	7
Firearms Dealers Prohibited	7
Local License/Permit	7
One-Gun-A-Month	8
Prohibiting Dealers in Residential Areas	8
Prohibiting Dealers Near Sensitive Areas	8
Record Keeping Requirements	8
Security Requirements	9
Transfer Restrictions	10
Used Firearms	11
Gun Shows	11
Handgun Bans	11
Large-Capacity Ammunition Magazines	12
Licensing of Gun Purchasers/Owners	12
Locking Devices	13
Minimum Age to Purchase/Possess	13
Registration of Guns	13
Regulation of Guns on Public Property	14
Theft/Loss Reporting	14
Other Approaches	15



ASSAULT WEAPONS

The following jurisdictions generally prohibit the transfer or possession of assault weapons. Assault weapons are a class of semiautomatic firearms characterized by a high rate of fire and military features such as flash suppressors, silencers, forward pistol grips, barrel shrouds, folding stocks and bayonet mounts.

- | | |
|---------|--------------------|
| Aurora | Cook County |
| Chicago | Niles ² |
| Cicero | Oak Park |

CARRYING CONCEALED WEAPONS

Because local laws regarding the carrying of concealed firearms vary significantly in terms of their scope and exceptions, they are simply listed here in two general groups. Be aware that some ordinances actually limit the possession or carrying of all firearms, not just concealable firearms. Those listed under “Concealed Carrying/Carrying in Vehicles Prohibited” are closely modeled after Illinois state law (720 Ill. Comp. Stat. 5/24-1(a)(4)), but appear to be more stringent in one or more respects.

CARRYING CONCEALED WEAPONS (continued)

Concealed Carrying Prohibited

The following jurisdictions generally prohibit the carrying of concealed firearms on or about the person.

Arlington Heights	Lisle
Ashmore	Maywood
Bartlett	McHenry
Batavia	Niles
Beach Park	Palatine
Burbank	Palos Hills
Casey	Park Ridge
Cicero	Peoria
Deerfield	Pontiac
DeKalb	River Forest
DeKalb County ³	River Grove
Des Plaines	Riverside
Elmhurst	Skokie
Elmwood Park	Tinley Park
Hinsdale	

Concealed Carrying/ Carrying In Vehicles Prohibited

The following jurisdictions generally prohibit the carrying or possession of firearms in any vehicle, or concealed on or about the person (outside of one's land, abode or fixed place of business). Exceptions are often made for firearms that are "broken down" in a nonfunctioning state or are not immediately accessible.

Calumet Park	Mount Prospect
Carol Stream ⁴	Plainfield
Chicago	Rockford
Coal City	Roselle
Fox Lake	Schaumburg
Hazel Crest	South Holland
Homewood	Streamwood
Montgomery	West Chicago

CHILD ACCESS PREVENTION

The following jurisdictions generally hold adults liable for allowing minors access to firearms (the definition of “minors” ranges from persons “under 21 years of age” to “under 16 years of age,” depending on the jurisdiction). In some cases, a crime or injury must occur for the ordinance to apply. The specific provisions vary significantly from jurisdiction to jurisdiction, in particular, in the exceptions or affirmative defenses to the laws (e.g., Bensenville, Hoffman Estates, Wheeling and Rolling Meadows only hold parents and guardians liable, not all adults). The Firearms Law Center web site (www.firearmslaw-center.org) has more detailed summaries of these ordinances.

Under 21

Bensenville

Mount Prospect

Under 19

Mundelein

Under 18

Aurora

Northbrook

Elgin

Streamwood

Gurnee

Vernon Hills

Hanover Park

Wheeling

Hoffman Estates

Under 17

Grayslake

Rolling Meadows

Under 16

Park Ridge

DEALER REGULATIONS

Firearms Dealers Prohibited

The following jurisdictions make it unlawful for any person to engage in the business of selling firearms or ammunition. Other transfers, such as gifts, loans or rentals, are often prohibited as well.

Buffalo Grove	Sleepy Hollow
Evanston	Thornton
River Forest	Wilmette

Local License/Permit

The following jurisdictions make it unlawful for any person to engage in the business of selling firearms (or handguns) without obtaining a local dealer's license. Other transfers, such as gifts, loans or rentals, often require a dealer's license as well.

All Firearms Dealers

Arlington Heights	Glenwood
Bensenville	Hoffman Estates
Berwyn	Lockport
Calumet City	Norridge
Chicago	Northbrook ⁵
Chicago Ridge	Riverdale
Cicero	Rolling Meadows
Cook County	Schaumburg
Crest Hill	Tinley Park
Des Plaines	Wheaton
Franklin Park	

Handgun Dealers

Bolingbrook	Peoria
Elmwood Park	Posen
Galesburg	Rockford
Homewood	Waukegan
Melrose Park	Zion
Oak Park ⁶	

Security Requirements

Alarms

The following jurisdictions require dealers to have security alarms.

Arlington Heights	Elgin
Carbondale ⁸	Glenwood
Champaign ⁸	Merrionette Park

Display Regulations

The following jurisdictions regulate the public display of firearms by dealers. (In Chicago, Cicero, Crystal Lake, McHenry and Posen, the provisions only apply to the display of handguns.)

Arlington Heights	Crystal Lake
Bolingbrook	McHenry
Carbondale ⁸	Peoria
Champaign ⁸	Posen
Chicago	Roselle ⁸
Cicero	

Employee Screening

The following jurisdictions have some sort of employee screening, background check, and/or a minimum age requirement.

Cook County	Riverdale
Glenwood	Rolling Meadows
Northbrook	

Other Security Measures

The following jurisdictions require that certain types of dealer inventory be locked, and/or that other security measures be implemented.

Arlington Heights	Elgin
Bolingbrook	Glenwood
Carol Stream	Northbrook
Crystal Lake	Schaumburg

Transfer Restrictions

Generally

The following jurisdictions generally require that firearms transfers – even those by private sellers – go through licensed dealers, and/or that local authorization be obtained prior to the transfer of firearms.

Chicago	Cook County
Cicero ¹⁰	

Minimum Age – Firearms

The following jurisdictions generally prohibit any person from selling firearms to minors. Other transfers, such as gifts, loans or rentals, are often prohibited as well. (In Hoffman Estates and Riverdale, the provision only applies to transfers made by dealers.)

Under 21

Bensenville	Peoria ¹⁰
Cook County	River Forest
Downers Grove	Riverdale
Elmwood Park	

Under 18

Arlington Heights	Elmhurst
Beecher	Hoffman Estates
Burbank	Lockport
Cicero	Niles
Coal City	Streamwood
Crest Hill	Waukegan

Under 16/17

Decatur	Lombard
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Minimum Age – Ammunition

The following jurisdictions generally prohibit any person from transferring ammunition to minors.

Under 21

Bensenville

Under 18

Rockford

Used Firearms

The following jurisdiction generally prohibits dealers from purchasing or transferring used firearms.

Schaumburg

GUN SHOWS

Except for Glenwood, which bans gun shows outright, the following jurisdictions require gun show promoters to obtain a local permit, or otherwise impose security and safety regulations on such events.

Cook County

Glenwood

Des Plaines

Grayslake

HANDGUN BANS

Possession and Sale of Handguns

The following jurisdictions generally ban the possession and sale or transfer of handguns.

Chicago

Morton Grove

Deerfield

Oak Park

Highland Park

Possession of Handguns

The following jurisdictions generally ban the possession of handguns.

Evanston

Wilmette

Sale of Handguns

The following jurisdictions generally ban the sale or transfer of handguns.

Elk Grove

Northbrook

Forest Park

River Grove

Niles

Westmont

LARGE-CAPACITY AMMUNITION MAGAZINES

The following jurisdictions generally prohibit the possession and sale of large-capacity ammunition magazines (i.e., magazines that hold more than a certain number of rounds).

Aurora (>15 rounds)	Oak Park (>10 rounds)
Chicago (>12 rounds)	Riverdale (>35 rounds)
Franklin Park (>16 rounds)	

LICENSING OF GUN PURCHASERS/OWNERS

All Firearms

The following jurisdictions generally require all firearm purchasers or owners to obtain a local firearms permit. Dealers can generally sell firearms only to permittees.

Berwyn	Hoffman Estates
Elmwood Park	

Handguns

The following jurisdictions generally require handgun purchasers or owners to obtain a local handgun permit. Dealers can generally sell handguns only to permittees. (Chicago and Highland Park only issue handgun permits in those limited cases where they do not ban possession entirely.)

Chicago	Melrose Park
Cicero	Shorewood
Crest Hill	Skokie
Highland Park	Waukegan ¹¹
Homewood	Zion

LOCKING DEVICES

The following jurisdictions generally require that a safety mechanism to prevent unintentional discharge be included with all firearms transferred by licensed dealers. (In Chicago and Vernon Hills, this provision also applies to transfers by private sellers.)

Chicago¹⁰

Riverdale

Cook County

Vernon Hills

MINIMUM AGE TO PURCHASE/POSSESS

The following jurisdictions exceed state and federal law with respect to the purchase or possession of certain types of firearms and/or ammunition by minors (which in some cases includes persons under 21 years of age).

Aurora

Highland Park

Bartlett

Hoffman Estates

Bensenville

Niles

Cicero

Northbrook

Cook County

Rockford

Elmwood Park

REGISTRATION OF GUNS

Owner Registration

The following jurisdictions generally require all firearms to be registered with local law enforcement by the owner or possessor. Renewal requirements (if any) vary from jurisdiction to jurisdiction. (Highland Park only allows handgun registration in those limited cases where possession is not banned entirely.)

Calumet Park

Highland Park¹⁰

Chicago

Peoria¹⁰

Cicero

REGISTRATION OF GUNS (continued)

Seller Registration

The following jurisdictions generally require dealers to deliver records, registers or reports of firearms sales to local law enforcement.

Every day, or every business day

Champaign ⁸	Homewood
Chicago	Lockport
Crest Hill	Norridge
Elmwood Park	Peoria ⁹
Hoffman Estates	Wheaton

Weekly

Bensenville	Rockford
Oak Park	

Within 10 days of any firearm transfer

Shorewood

Monthly

Melrose Park ⁹	Riverdale
Posen ⁹	Waukegan ⁹

No specific deadline

Westmont

REGULATION OF GUNS ON PUBLIC PROPERTY

The following jurisdictions prohibit the carrying of firearms in certain public areas.

Galesburg	Olney
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THEFT/LOSS REPORTING

The following jurisdictions generally require that the theft or loss of registered firearms be reported immediately by the owner to local law enforcement. (Calumet Park gives owners 10 days to comply.)

Calumet Park	Cicero
Chicago	Highland Park ¹⁰

OTHER APPROACHES

Jurisdictions across the country have adopted other local regulations to reduce gun violence, such as those:

- Imposing gross receipts taxes on all merchandise sold by firearms dealers; and
- Prohibiting the sale of .50 caliber sniper rifles.

For more local violence prevention ordinances, please contact the Firearms Law Center.

ENDNOTES

- ¹ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (2000).
- ² Sales ban only.
- ³ Concealed carrying is only prohibited on forest preserve district property.
- ⁴ Concealed carrying is only prohibited in public places.
- ⁵ Only retail establishments have to obtain a local dealer's license.
- ⁶ Although Oak Park generally bans handgun sales, dealers are permitted to sell handguns to law enforcement.
- ⁷ Firearms dealers are indirectly prohibited in residential areas, because the sale of commodities as part of a home occupation is not allowed.
- ⁸ Pawnbrokers/secondhand dealers only.
- ⁹ Handgun dealers only.
- ¹⁰ Handguns only.
- ¹¹ Local law enforcement has stated that this provision is not currently being enforced.

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