

VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS

ORDINANCE NO. O-18-19

AN ORDINANCE APPROVING AMENDMENTS TO SECTION 15-87 OF THE
MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this

 18th day of June , 2018.

Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake
and Cook Counties, Illinois,
this
 18th day of June , 2018.

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LAKE AND COOK COUNTIES, ILLINOIS

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**AN ORDINANCE APPROVING AMENDMENTS TO SECTION 15-87 OF THE
MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD**

WHEREAS, on July 1, 2013, the Village President and Board of Trustees adopted Ordinance No. O-13-24, amending Chapter 18 of the Municipal Code of the Village of Deerfield (“*Village Code*”) to adopt a new Article 11 of Chapter 15, which Article 11 regulates the ownership and possession of assault weapons in the Village; and

WHEREAS, on April 2, 2018, the President and Board of Trustees adopted Ordinance No. O-18-06, amending Article 11 of Chapter 15 of the Village Code to further regulate the ownership and possession of assault weapons in the Village, pursuant to the authority set forth in Section 13.1(c) of the Illinois Firearms Owners Identification Card Act, 430 ILCS 65/13.1(c) (“*Act*”); and

WHEREAS, the President and Board of Trustees now desire to further amend Section 15-87 of Article 11 of Chapter 15 of the Village Code, pursuant to the authority set forth in Section 13.1(c) of the Act; and

WHEREAS, the President and Board of Trustees have determined that the amendment of Section 15-87 of the Village Code is in the best interests of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS,
in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The recitals to this Ordinance are hereby incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: AMENDMENT. Section 15-87 of Article 11 of Chapter 15 of the Village

Code is hereby re-titled and amended further to read as follows:

“Sec. 15-87. Safe-Storage-Of-Assault-Weapons-and-Large-Capacity-Magazines Prohibited; Exceptions:

(a) It shall be unlawful to possess, bear, manufacture, sell, transfer, transport, store or keep any assault weapon or large capacity magazine in the village.

(b) The provisions of this section, excluding those pertaining to the manufacture and sale of any assault weapon or large capacity magazine in the Village, do not apply to (i) any law enforcement officer, agent or employee of any municipality of the state of Illinois (ii) any law enforcement officer, agent or employee of the state of Illinois, of the United States, or of any other state (iii) any member of the military or other service of any state or the United States, including national guard and reserves, if the persons described are authorized by a competent authority to so carry an assault weapon loaded on a public way and such person is acting within the scope of his duties or training, or (iv) any qualified retired law enforcement officer, as that term is defined in 18 U.S.C. § 926C; however, any such assault weapon subject to the aforesaid exceptions under this section shall be safely stored and secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, or broken down in a nonfunctioning state and not immediately accessible to any person, or unloaded and enclosed in a case, firearm carrying box, shipping box or other container by a person who has been issued a currently valid Firearm Owner’s Identification Card, except as may otherwise be lawfully provided by the rules, regulations, general orders, ordinances or laws regulating the conduct of any such law enforcement officer, service member or qualified retired law enforcement officer.”

SECTION 3: DELIVERY. The Village Manager, or his designee, is authorized and directed to submit to the Illinois Department of State Police a copy of this Ordinance, 30 days after its adoption, and any such other measures as may be necessary to effect the requirements of 430 ILCS 65/13.3.

SECTION 4: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 5: EXERCISE OF HOME AUTHORITY. The President and Board of Trustees declare that this Ordinance, and each of its terms, are and shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should: (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law; or, (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: EFFECTIVE DATE. In accordance with Section 5/1-2-4 of the Illinois Municipal Code, 65 ILCS 5/1-2-4, the President and Board of Trustees have determined that the adoption of this Ordinance and its effectiveness is urgent for the public welfare of the Village and, therefore, upon the vote of two-thirds of the corporate authorities approving the Ordinance, it shall be in full force and take immediate effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 18th day of June, 2018.


AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers

NAYS: None

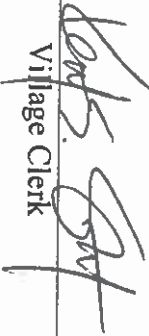
ABSENT: None

ABSTAIN: None

APPROVED this 18th day of June, 2018.


Village President

ATTEST:


Village Clerk