

AN ORDINANCE REGARDING THE UNLAWFUL
USE AND POSSESSION OF WEAPONS

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS,

that:

Section 1. A person commits the offense of unlawful use of weapons

when he knowingly:

- A. Sells, manufactures, purchases, possesses or carries any bludgeon, black-jack, slung-shot, sand-club, sand-bag, metal knuckles or any knife, commonly referred to as a switch-blade knife, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife; or
- B. Carries or possesses with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, or any other dangerous or deadly weapon or instrument of like character; or
- C. Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance; or
- D. Carries concealed in any vehicle or concealed on or about his person except when on his land or in his own abode or fixed place of business any pistol, revolver or other firearm; or
- E. Sets a spring gun; or
- F. Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
- G. Sells, manufactures, purchases, possesses or carries any weapon from which more than 8 shots or bullets may be discharged by a single function of the firing device, any

shotgun with a barrel less than 18 inches in length, or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails; or

H. Carries or possesses any firearm or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted; or

I. Carries or possesses in a vehicle or on or about his person any pistol, revolver or firearm, when he is hooded, robed or masked in such manner as to conceal his identity.

Section II. Penalty. A person convicted of a violation of this section shall be fined in accordance with Section 1.6 of the City Code.

Section III. The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in Section (1) (g) is prima facie evidence that it is in the possession of, and is being carried by, all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances: (i) if such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or (ii) if such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his trade, then such presumption shall not apply to the driver.

Section IV. Exemptions.

A. Sections (1) (c) and (1) (d) above, do not apply to or affect any of the following:

(1) Peace officers or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

(2) Warden, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and place of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad to perform police functions while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; watchmen while actually engaged in the performance of the duties of their employment.

(5) Agents and investigators of the Illinois Crime Investigating Commission authorized by the Commission to carry the weapons specified in Sections (1) (c) and (1) (d) above, while on duty in the course of any investigation for the Commission.

(6) Manufacture, transportation, or sale of weapons to persons authorized under (1) through (5) of this Subsection to possess those weapons.

B. Section (1) (d) does not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Licensed hunters or fishermen while engaged in hunting or fishing.

(4) Transportation of weapons broken down in a non-functioning state or not immediately accessible.

C. Section (1) (g) does not apply to or affect any of the following:

(1) Peace officers.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under (1) through (3) of this Subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or not immediately accessible.

D. Section (1) (g) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

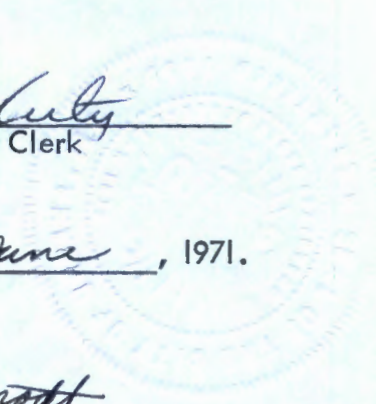
E. Section (1) (h) does not apply to any owner, manager or authorized employee of any place specified in that Subsection nor to any law enforcement officer.

Section V. A complaint based upon a violation of any Subsection of this Ordinance need not negative any exemptions contained in this Ordinance. The Defendant shall have the burden of proving such an exemption.

Section VI. Section 21.55 of the City Code is hereby repealed upon the taking effect of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

PASSED by the City Council of Urbana, Illinois, this 21st day of June, 1971.


Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 22nd day of June, 1971.

Charles M. Zippodt
Charles M. Zippodt, Mayor



FRIEND'S LAWMARK

25% COTTON FIBRE