

ORDINANCE NO. 9855

AN ORDINANCE TO PROHIBIT THE PUBLIC CARRY OF AIR GUNS

WHEREAS, the City of Granite City is a Home Rule unit pursuant to Article VII, Section 6, of the Illinois State Constitution of 1970; and

WHEREAS, 720 ILCS 5/24.8-2 prohibits the public carry or discharge of air rifles on public streets by minors under the age of 13 years; and

WHEREAS, 720 ILCS 5/24.8-6 expressly allows municipalities to impose greater restrictions or limitations regarding the use or possession of air rifles, than State law; and

WHEREAS, Granite City Municipal Code Section 9.96.070 (A) prohibits the discharge of any air gun in the City of Granite City, per Ordinance No. 8536, adopted March 1, 2016; and

WHEREAS, the Granite City City Council hereby finds it will promote the public safety to prohibit the carry of air guns on public streets or public lands within the corporate limits of the City of Granite City.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND DECREED by the City Council of the City of Granite City, in the County of Madison and State of Illinois, as follows:

The following is hereby added to and codified in the Granite City Municipal Code as Section 9.92.010.

I. 9.92.010. AIR GUNS PROHIBITED ON PUBLIC STREETS OR PUBLIC LANDS

- A. AIR GUN DEFINED - "Air gun" means and includes any air gun, air pistol, spring gun, spring pistol, B-B gun, paintball gun, pellet gun, or any implement that is not a firearm, which impels a breakable paintball containing washable marking colors, or, a pellet constructed of hard plastic, steel, lead, or other hard

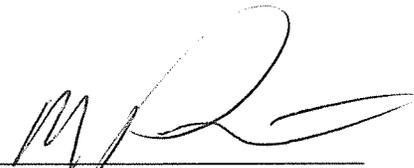
materials with a force that is reasonably expected to cause bodily harm or injury.

- B. CARRY OF AIR GUNS ON PUBLIC STREETS PROHIBITED – The carrying of an air gun on public streets or public lands within the City of Granite City is prohibited. A person commits the offense of carrying an air gun on public streets or public lands, when he or she carries or displays any air gun on the public streets, roads, highways, or public lands within the City of Granite City, unless the air gun is fully disassembled and in an unloaded state. This Ordinance is not intended to prohibit the ownership or possession of air guns on private property. This Ordinance is not intended to prohibit the transportation of air guns stored in the trunk of a motor vehicle or other location not subject to immediate access by the driver or occupant of the motor vehicle.
- C. The discharge of an air gun on public or private property, currently prohibited in Section 9.96.070(A) of the Granite City Municipal Code, is considered a separate offense from the carrying of an air gun on public streets or public lands.
- D. Any person who commits the offense of carrying an air gun on public streets or public lands within the corporate limits of the City of Granite City, may be fined up to \$750.00 per offense.
- E. Any law enforcement officer may seize, take, remove, impound, or cause to be removed at the expense of the owner, any air gun used or possessed in any manner in violation of this Section.

II. Each subsection of this Ordinance shall be deemed severable. In the event any portion of this Ordinance is found by a court of competent jurisdiction to be unenforceable; the rest of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage, and may be published in pamphlet form by the Office of the City Clerk.

ADOPTED this 8th day of June, 2021.

APPROVED:   
Mayor M. Parkinson

ATTEST:   
City Clerk