

CHAPTER 4
MISDEMEANOR OFFENSES
ARTICLE F. WEAPONS

SECTION:

- 5-4F-1: Hunting
5-4F-2: Discharge Of Firearms
5-4F-3: Unlawful Use Of Weapons
5-4F-4: Exemptions

5-4F-1: **HUNTING:** It shall be unlawful for any person to engage in killing any animal other than as prescribed by law in the village. (1969 Code, ch. 23, art. I, § 10)

5-4F-2: **DISCHARGE OF FIREARMS:** It shall be unlawful to discharge any firearms or air guns in the village; provided, that this section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty, nor to any citizen to discharge a firearm when lawfully defending his person or property. (1969 Code, ch. 23, art. I, § 15)

5-4F-3: **UNLAWFUL USE OF WEAPONS:** A person commits the offense of unlawful use of weapons when he knowingly:

- A. Sells, manufactures, purchases, possesses or carries any bludgeon, blackjack, slungshot, sandclub, sandbag, metal knuckles or any knife, commonly referred to as a switchblade 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

display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business any pistol, revolver, stun gun or taser or other firearm.

A "stun gun or taser", as used in this section, means any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning.

- K. Sells, manufactures or purchases any explosive bullet. For purposes of this section "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap. (1983 Code)

5-4F-4: EXEMPTIONS:

- A. Subsections 5-4F-3C, D and J of this article 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. Wardens, 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 duties, or while commuting between their homes and places 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 duties.
 4. Special agents employed by a railroad or a public utility to perform police functions or guards of armored car companies 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

trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection "financial institution" means a bank, savings and loan association or credit union.

7. Manufacture, transportation or sale of weapons to persons authorized under subsections A1 through A6 of this section to possess those weapons.

B. Subsections 5-4F-3D and J of this article do 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, patrons of such ranges while such members or patrons 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 nonfunctioning state or not immediately accessible.

C. Subsection 5-4F-3G of this article 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 subsection C1 through C5 of this section to possess machine guns, if the machine guns are broken down in a nonfunctioning state or not immediately accessible.

5. Persons authorized by federal law to possess weapons defined in subsection 5-4F-3G of this article.