

ORDINANCE NO. 2020- 2359

AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS
AMENDING SECTION 5.88.020 "FIREARMS DEALER'S LICENSING" OF CHAPTER 5.88
"DEADLY WEAPONS DEALERS" OF TITLE 5 "BUSINESS LICENSES AND
REGULATIONS" OF THE WESTCHESTER MUNICIPAL CODE RELATED TO THE
ISSUANCE OF A FIREARMS DEALER'S LICENSE

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
THIS 8th DAY OF SEPTEMBER 2020

Published in pamphlet form by
Authority of the Corporate
Authorities of Westchester, Illinois
the 8th day of September 2020

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AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS AMENDING SECTION 5.88.020 “FIREARMS DEALER’S LICENSING” OF CHAPTER 5.88 “DEADLY WEAPONS DEALERS” OF TITLE 5 “BUSINESS LICENSES AND REGULATIONS” OF THE WESTCHESTER MUNICIPAL CODE RELATED TO THE ISSUANCE OF A FIREARMS DEALER’S LICENSE

WHEREAS, the Village of Westchester, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois (the “*Corporate Authorities*”) may from time to time amend the text of the Westchester Municipal Code (the “*Code*”) when it is determined to be necessary, desirable and in the best interests of the health, safety and welfare of the Village and its residents; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to amend the text of Section 5.88.020 “Firearms Dealer’s Licensing” of Chapter 5.88 “Deadly Weapons Dealers” of Title 5 “Business Licenses and Regulations” of the Code.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois as follows:

Section 1: The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: Section 5.88.020 “Firearms Dealer’s Licensing” of Chapter 5.88 “Deadly Weapons Dealers” of Title 5 “Business Licenses and Regulations” of the Westchester Municipal Code is hereby amended by deleting the stricken language and adding the underlined language to

read, as follows:

Section 5.88.020 – Firearms dealer’s licensing.

(b) License Required

- (1) It is unlawful for any person to engage in the business of dealing in firearms at an address within the corporate limits of the village without having applied for or obtained a village firearms dealer's license pursuant to this chapter by January 1, 1995. A village firearms dealer's license shall be required in addition to any other village license required by law. All applicants for a village firearms dealer's license must possess a valid federal firearms dealer's license. Possession of a valid federal firearms dealer's license shall be deemed proof of being engaged in the business of dealing in firearms in the village and thus requiring a village firearms dealer's license. An applicant for a village firearms dealer's license shall meet all other applicable village ordinances and regulations. A person engaged in the repair or servicing of firearms is engaged in the business of dealing in firearms and must acquire a license hereunder which shall be limited to such gunsmith activities.
- (2) Any person who becomes a federally licensed firearms dealer after January 1, 1995, and is required under this chapter to obtain a village firearms dealer's license, shall apply for such license within forty-five days of receipt of the federal firearms dealer's license or such other federal authorization to act as a gunsmith.
- (3) Unless otherwise approved by the president and board of trustees of the Village of Westchester and/or upon amendment of this chapter, there shall be ~~zero~~ one Westchester firearms dealer's license issued subsequent to the passage of the ordinance codified in this section.
- (4) No license issued under this chapter shall be transferrable or assignable to any other person or any other location.
- (5) The dealer must provide to the chief of police on a quarterly basis a list of all sales of firearms and firearm ammunition in an orderly and prompt manner.

Section 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5: The Village Clerk is hereby authorized and directed to publish this

Ordinance in pamphlet form and this Ordinance shall be in full force and effect immediately after its adoption, approval and publication to ensure the public health, safety and welfare of the residents of the Village.

(Intentionally left blank)

ADOPTED this 8th day of September 2020, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>—</u>	Robert Morales	<u>A</u>
Cathy Kuratko	<u>A</u>	Frank Perry	<u>A</u>
Tracy Hart Markey	<u>N</u>	Nick Steker	<u>—</u>

President Gattuso A

APPROVED this 8th day of September, 2020

Paul Gattuso
Paul Gattuso, Village President

ATTEST:

Stanley V. Kolodziej
Stanley V. Kolodziej, Village Clerk