

City of Philadelphia



(Bill No. 100722-A)

AN ORDINANCE

Amending Chapter 10-818 of The Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-818 of The Philadelphia Code is hereby amended to read as follows:

§ 10-818. Firearms in Public Places.

(1) Definition.

Firearms. "Firearms" means any revolver, pistol, rifle, shotgun or other weapon capable of propelling a projectile by means of an explosive material or charge.

(2) Prohibited Conduct. No person shall carry a firearm upon the public streets or upon any public property at any time unless that person is:

(a) *either (.1) a resident of Pennsylvania licensed by a political subdivision of the Commonwealth of Pennsylvania to carry a firearm or licensed to hunt; or (.2) a resident of another state, which state has a reciprocity agreement with Pennsylvania under 18 Pa. C.S. § 6109(k) or has statutory reciprocity under § 6106(b), and is licensed by such state to carry a firearm or to hunt;*

(b) actively engaged in a defense of his life or property from imminent peril or threat; or

(c) a police officer or member of the State or Federal militia on active duty.

(3) In the event that a court of competent jurisdiction determines, in a final Order from which no further appeal is available, that persons with licenses from states other than those set forth in subsection (2)(a) have a statutory right to carry a firearm upon the public streets or public property, then, in addition to the persons categorized in

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subsection (2)(a), the following persons shall not be prohibited from carrying a firearm upon the public streets or public property:

(a) a person licensed to carry a firearm or to hunt by a state with firearms laws similar to the firearms laws of Pennsylvania, and which provides a reciprocal privilege for individuals licensed by Pennsylvania. For purposes of this subsection (a), only the following states are deemed to have firearms laws similar to those of Pennsylvania: Colorado, Idaho, Indiana, Louisiana, Montana, North Dakota and Utah.

~~[(3)]~~ (4) Penalty. The penalty for violation of this Section shall be a fine of not less than three hundred (300) dollars and imprisonment of not less than ninety days.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on February 17, 2011. The Bill was Signed by the Mayor on February 25, 2011.



Michael A. Decker
Chief Clerk of the City Council