



Legislation Text

File #: 220175, Version: 0

220175
ORIGINAL

ALD. STAMPER

An ordinance relating to firearms determined to have been used in the commission of a crime.

105-30 cr

This ordinance requires a firearm owner to properly store and supervise the whereabouts of any firearm owned at all times to ensure the firearm is not acquired by any person and used in the commission of a crime. It also requires the firearm owner to report the theft or misplacement of any firearm to the police within 24 hours of discovery.

The ordinance imposes a forfeiture on the firearm owner of not less than \$500 nor more than \$1,000, together with the costs prosecution, if the firearm, which has not been reported as stolen, is determined by the courts to have been used in the commission of a either a felony or misdemeanor.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 105-30 of the code is created to read:

105-30. Firearms Used in the Commission of a Crime.

1. FINDINGS. The common council finds careless storage and inadequate supervision of firearms by owners often results in the use of firearms by persons other than the owners in the commission of crimes.

2. DEFINITIONS. For purposes of this section:

a. "Firearm" means a handgun, rifle or shotgun which acts by force of gunpowder or explosive to expel a projectile through a smooth or rifled bore.

3. OWNER RESPONSIBILITY. A firearm owner shall be responsible for properly storing and supervising the whereabouts of any firearm owned at all times to ensure the firearm is not acquired by any person and used in the commission of a crime. A firearm owner shall regularly determine the whereabouts of each firearm owned and report the theft or misplacement of any firearm to the police within 24 hours of discovery.

4. PENALTY. An owner of a firearm not reported to the police as stolen or misplaced and determined by the courts to have been used in the commission of a either a felony or misdemeanor shall forfeit not less than \$500 nor more than \$1,000, together with the costs of prosecution, and in default of payment of such fine and costs, shall be imprisoned as provided by law.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB 177409 - 1

Aaron Cadle

May 25, 2022