



Legislation Text

File #: 220420, Version: 2

220420 SUBSTITUTE 2

ALD. STAMPER, PEREZ, COGGS, ZAMARRIPA, AND SPIKER

A substitute ordinance relating to the supervision and storage of firearms.

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. The ordinance also requires the firearm owner to report the theft or misplacement of any firearm to the police within 24 hours of discovery.

The ordinance also regulates the storage of a firearm in an unoccupied vehicle to ensure the firearm is securely locked in a vehicle compartment or in a secure locking device not visible from outside the vehicle.

Furthermore, the ordinance imposes a forfeiture on the firearm owner of not less than \$2,500 nor more than \$5,000, together with the costs prosecution, if the firearm, which has not been reported as stolen, is determined by a court 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. Firearm Supervision and Storage.

1. FINDINGS. The common council finds careless storage and inadequate supervision of firearms by owners, including storage of firearms in unoccupied vehicles, often results in firearm theft and 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.

b. "Secure locking device", means a device that can only be opened or released with an electronic, magnetic or mechanical key, or with an alphabetical or numerical combination

3. SUPERVISION. A firearm owner shall, at all times, properly store and supervise the whereabouts of any firearm 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 department within 24 hours of discovery.

4. STORAGE IN UNOCCUPIED VEHICLES. A firearm stored in an unoccupied vehicle parked on the highway or in a parking lot shall be stored in a secure locking device not visible from outside the vehicle, or a trunk or similar vehicle compartment that can be securely locked. A firearm stored in the

cargo bed of an unoccupied truck shall be stored in a locked toolbox securely attached to the vehicle, or in a cargo bed enclosed with a securely locked, hard tonneau cover or similar device that prevents access to the cargo bed. No firearm shall be stored in a hatchback compartment, or cargo bed of a truck with a truck cap.

5. PENALTY. a. An owner of a firearm not reported to the police as stolen or misplaced and determined by a court to have been used in the commission of a either a felony or misdemeanor shall forfeit not less than \$2,500 nor more than \$5,000, together with the costs of prosecution, and in default of payment of such fine and costs, shall be imprisoned as provided by law.

b. A firearm owner violating sub. 4 shall forfeit not less than \$2,500 nor more than \$5,000, 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: _____

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Aaron Cadle

July 14, 2022