

AN ORDINANCE

Councilmember C. T. Martin

C. T. Martin
H. R. Hoyle
Stalaha Archibald
Felicia M. Moore
E. V. Stewart - Morley
Clair Muller

An Ordinance to amend Section 22-110 "Firearms" the Code of Ordinances of the City of Atlanta, so as to expand the definition of "weapons"; to provide exemptions therefore; and for other purposes

WHEREAS, Section 22-110 of the Code of Ordinances currently relates to guns, explosives and inflammable materials; and

WHEREAS, there is no mention of knives, razors, and many other sophisticated weapons; and

WHEREAS, since 9/11 it is especially important that this section be expanded to include weapons that exist in this era; and

WHEREAS, the City's Code of Ordinances does not offer an all-inclusive definition of "weapons, and current State law offers a "surrender or secure" option that creates a possible wrongful arrest liability on police, generally, and airport police, specifically, and

WHEREAS, the new title "weapons" is more appropriate and inclusive.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: That Section 22-110 Firearms, which reads:

"Sec. 22-110. Firearms.
No person shall carry or transport firearms; gas-, air- or spring-activated guns; explosives; inflammable material; or dangerous weapons, except when such firearms, guns or weapons are properly encased for trans-shipment. This section shall not apply to peace officers and other persons who are authorized by federal, state or municipal laws to be armed."

Be deleted in its entirety, and substituted therefor the following:

Section 22-110 Weapons

No person shall carry, possess or have under his or her control any weapon except when such weapon is properly encased for trans-shipment or authorized by airport regulation. For the purpose of this code, "weapon" is defined as any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of three or more

inches, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, or fighting chain, shuriken, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser.

This section shall not apply to peace officers and others who are authorized by federal, state or municipal laws to be armed.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

RCS# 6391
1/03/05
3:54 PM

Atlanta City Council

Regular Session

MULTIPLE

0502 0503 0504 0931 1270
1271 1628-SUB 1806 1923 1924 2023
FILE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
NV Young	Y Shook	NV Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

04-0-0931
 (Do Not Write Above This Line)

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El Stewart - Mobley
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FILED BY
 CITY COUNCIL

JAN 03 2005

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1st ADOPT 2nd READ & REFER
 - PERSONAL PAPER REFER
- Date Referred 05/17/04
 Referred To: Public Safety & Fire Dept
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee Date _____
 Chair _____
 Referred To _____

PSLA Committee
 Date _____
 Chair _____

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Committee

Date _____

Chair _____

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Refer To _____

PSLA Committee

Date 12/14/04

Chair [Signature]

Fav, Adv, Hold (see rev. side)
 Other File

Members [Signature]

[Signature]
[Signature]
[Signature]

Refer To _____

Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RC Vote

CERTIFIED

JAN 03 2005
 [Signature]
 CLERK

CERTIFIED
 JAN 03 2005
 [Signature]
 MAYOR'S ACTION