

## **CHAPTER 98: AIR RIFLES**

### **Section**

- 98.01 Definitions
- 98.02 Transfer of Air Rifle to Persons Under 13 Prohibited; Exceptions
- 98.03 Persons Under 13 Prohibited From Carrying Loaded Air Rifle; Discharge of Air Rifle in Public Prohibited
- 98.04 Circumstances Permitting Person Under 13 to Possess Air Rifle
- 98.05 Certain Sales Not Prohibited
- 98.06 Seizure of Air Rifles in Violation of Chapter
- 98.07 Sentence

## Huntley – General Regulations

### § 98.01 DEFINITIONS As used in this Chapter:

*“Air-Rifle”* means and includes any air gun, air pistol, spring gun, spring pistol, B-B gun, paint-ball gun, pellet gun or any implement that is not a firearm which impels a breakable paint ball containing washable marking colors or, a pellet constructed of hard plastic, steel, lead, or other hard materials with a force that reasonably is expected to cause bodily harm.

*“Dealer”* means any person, co-partnership, association or corporation engaged in the business of selling at retail or renting any of the articles included in the definition of “Air-Rifle”. (Ord. (O)2005-09.73, passed 9-8-05)

### § 98.02 TRANSFER OF AIR RIFLE TO PERSONS UNDER 13 PROHIBITED; EXCEPTIONS

It is unlawful for any dealer to sell, lend, rent, give or otherwise transfer an air rifle to any person under the age of 13 years where the dealer knows or has cause to believe the person to be under 13 years of age or where such dealer has failed to make reasonable inquiry relative to the age of such person and such person is under 13 years of age.

It is unlawful for any person to sell, give, lend or otherwise transfer any air rifle to any person under 13 years of age except where the relationship of parent and child, guardian and ward or adult instructor and pupil, exists between such person and the person under 13 years of age, or where such person stands in loco parentis to the person under 13 years of age. (Ord. (O)2005-09.73, passed 9-8-05)

### § 98.03 PERSONS UNDER 13 PROHIBITED FROM CARRYING LOADED AIR RIFLE; DISCHARGE OF AIR RIFLE IN PUBLIC PROHIBITED

It is unlawful for any person under 13 years of age to carry any air rifle on the public streets, roads, highways or public lands within the Village of Huntley, unless such person under 13 years of age carries such rifle unloaded.

It is unlawful for any person to discharge any air rifle from or across any street, sidewalk, road, highway or public land or any public place except on a safely constructed target range. (Ord. (O)2005-09.73, passed 9-8-05)

### § 98.04 CIRCUMSTANCES PERMITTING PERSON UNDER 13 TO POSSESS AIR RIFLE

Notwithstanding any provision of this Chapter, it is not unlawful for any person under 13 years of age to have in his possession any air rifle if it is:

## **Huntley – Air Rifles**

1. Kept within his house of residence or other private enclosure;
2. Used by the person under 13 years of age and he is a duly enrolled member of any club, team or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range under the supervision guidance and instruction of a responsible adult and then only if said air rifle is actually being used in connection with the activities of said club, team or society under the supervision of a responsible adult; or
3. Used in or on any private grounds or residence under circumstances when such air rifle is fired, discharged or operated in such a manner as not to endanger persons or property and then only if it is used in such manner as to prevent the projectile from passing over any grounds or space outside the limits of such grounds or residence.

(Ord. (O)2005-09.73, passed 9-8-05)

### **§ 98.05 CERTAIN SALES NOT PROHIBITED**

The provisions of this act do not prohibit sales of air rifles:

1. By wholesale dealers or jobbers;
2. To be shipped out of the Village;
3. To be used at a target range operated in accordance with Section 98.04 of this Chapter or by members of the Armed Services of the United States or Veterans organizations

(Ord. (O)2005-09.73, passed 9-8-05)

### **§ 98.06 SEIZURE OF AIR RIFLES IN VIOLATION OF CHAPTER**

Any law enforcement officer shall seize, take, remove, or cause to be removed at the expense of the owner, any air rifle sold or used in any manner in violation of this Chapter.

(Ord. (O)2005-09.73, passed 9-8-05)

### **§ 98.07 SENTENCE**

Any dealer or person violating any other provision of this Chapter commits a petty offense and shall pay a fine not less than \$5.00 and not more than \$500.00.

(Ord. (O)2005-09.73, passed 9-8-05)