

## Proposed Ordinance Regarding Ghost Guns

**WHEREAS**, guns pose a deadly public health, welfare and safety threat to the residents of the City of Stamford;

**WHEREAS**, neither the U.S. Congress nor the State of Connecticut Legislature have expressly preempted local firearms ordinances; nor have federal or Connecticut courts implicitly preempted all local ordinances by demonstrating the intent of the federal or state governments to occupy those areas of firearm regulation other than with respect to the sale of firearms and hunting;

**WHEREAS**, Connecticut municipalities have authority (including but not limited to pursuant to Conn. Gen. Stat. § 7-148 (c) (7) (H) (xi, xiii) and (10) (A)) to enact local regulations to prevent or mitigate public nuisances and to protect public health and safety;

**WHEREAS**, downloadable 3-D printed firearms and ghost guns pose a unique danger to the public health and safety by providing deadly weapons that are composed of non-metallic plastic polymers which are virtually undetectable by traditional means, including metal detectors and other electronic screening and detection devices;

**WHEREAS**, 3-D printed firearms and ghost guns threaten to defeat the current public safety protections, systems and procedures designed to prevent the presence of firearms in prohibited areas such as schools, airports, government buildings, sports stadiums, movie theaters, shopping malls, places of employment and other public and semi-public venues;

**WHEREAS**, this new emerging technology demands immediate commonsense prohibition in order to provide the public with reasonable, necessary and proper police protection;

**WHEREAS**, the U.S. Congress and the Connecticut State Legislature have not enacted general legislation adequately regulating the emerging threat of 3-D printed firearms and ghost guns;

**BE IT ORDAINED:** By the Board of Representatives of the City of Stamford, that the Municipal Code of Ordinances Chapter 242 – Weapons, be and is hereby amended to include the following new Section 242-4 as set forth below:

### **NEW:**

Section 242-4. 3-D printed firearms made of polymer plastic and any other firearms not permanently affixed with unique serial numbers or identification marks (“Ghost Guns Prohibited”).

#### **Ghost Guns Prohibited.**

A. It is unlawful and is prohibited for any person to assemble, store, sell, offer or expose for sale at retail or have in possession, with or without intent, to sell or to use within the limits of the City any firearm (a/k/a ghost guns) that : (1) does not have a unique serial number or appropriate mark of identification,

and/or (2) is not permanently affixed with such serial number or other identifying mark in a manner that conforms with the requirements imposed on licensed importers and licensed manufactures of firearms pursuant to 18 U.S.C. 923(i), as amended from time-to-time and any regulation adopted thereunder.

B. It is unlawful and is prohibited for any person to assemble, store, sell, offer or expose for sale at retail or have in possession, with or without intent, to sell or to use within the limits of the City any firearms (including 3-D printed firearms) made of polymer plastic, unless such plastic is imbedded with three point seven (3.7) ounces of material 17-4 PH stainless steel and such firearm is engraved or otherwise marked with a unique serial number or other mark of identification.

C. The Chief of Police is authorized and empowered to seize, remove and destroy any and all such weapons held, stored or possessed within the jurisdictional limits of the City; and to impose a fine or penalty of two-hundred and fifty dollars (\$250) per day of violation, or the maximum amount permitted by Connecticut General Statutes § 7-148 (c) (10) (A) or any other law, whichever is greater. Not later than two weeks after the date that any such weapon is seized by the Chief of Police under authority of this ordinance, the owner of such weapon may file with the Chief of Police a request for a hearing before a hearing officer appointed pursuant to Chapter 97 of the City Code to appeal the seizure of said weapon on the basis that said weapon is not in fact an unlawful weapon under the provisions of this ordinance. Said hearing shall be held within thirty days of the date of the request for hearing. The Chief of Police shall not destroy such weapon until said appeal has been denied.