

Deerfield bans assault weapons and high-capacity magazines

Owners of assault weapons living in Deerfield have until June 13 to remove the firearms from the village. (April 3rd, 2018)

Owners of assault weapons living in north suburban Deerfield have until June 13 to remove the firearms from within village limits or face daily fines after a ban was approved Monday night.

The Village Board of Trustees unanimously approved a ban on certain types of assault weapons and high-capacity magazines, amending a 2013 ordinance that regulated the storage of those items.

The new ordinance prohibits the possession, sale and manufacturing of certain types of assault weapons and large capacity magazines within the village, according to the ordinance. One change from the law as it was originally discussed exempts retired police officers from the ban, according to Village Manager Kent Street.

Violations carry a fine of between \$250 and \$1,000 per day, according to Matthew Rose, the village attorney. He said the fine is levied each day until there is compliance.

Street said the new law is modeled after one approved by Highland Park in 2013. That ban survived a legal challenge by one of the city's residents and the Illinois State Rifle Association. The 7th U.S. Circuit Court of Appeals held that legislation constitutional and the U.S. Supreme Court let the decision stand when it declined to take up the appeal.

Unlike Highland Park, Deerfield opted not to enact a total ban on assault weapons during a 10-day window that Illinois lawmakers' gave home-rule municipalities in 2013 before the state's new Firearm Concealed Carry Act eliminated their ability to do so.

However, Deerfield trustees did enact an ordinance defining assault weapons and requiring the safe storage and safe transportation of those weapons within the village. That measure, which was enacted during the permitted time frame,

preserved Deerfield's right to amend the ordinance in the future, Street previously said.

“This is not only held constitutional by the Seventh Circuit but similar laws have been ruled constitutional in California, the District of Columbia and Maryland,” Rose said last month.

The original resolution said that since Deerfield enacted its regulations, “assault weapons have been increasingly used in an alarming number of notorious mass shooting incidents at public schools, public venues, places of worship and places of public accommodation.”

**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15 (MORALS AND CONDUCT),
ARTICLE 11 (ASSAULT WEAPONS), SECTION 15-87 (SAFE STORAGE OF
ASSAULT WEAPONS) AND SECTION 15-88 (TRANSPORTATION OF ASSAULT
WEAPONS) OF THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD
TO REGULATE THE POSSESSION, MANUFACTURE AND SALE OF ASSAULT
WEAPONS IN THE VILLAGE OF DEERFIELD**

WHEREAS, Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-87 (Safe Storage of Assault Weapons; Exceptions) and Section 15-88 (Transportation of Assault Weapons; Exceptions) of the Municipal Code of the Village of Deerfield, as enacted by Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), regulate the possession, storage and

[Deerfield Assault Weapon Ordinance \(PDF\)](#) [Deerfield Assault Weapon Ordinance \(Text\)](#)

In the ordinance, the definition of an assault weapon includes, among others, semiautomatic rifles that have a fixed magazine with a capacity to accept more than 10 rounds of ammunition; shotguns with a revolving cylinder; and semiautomatic pistols and rifles that can accept large-capacity magazines and possess one of a list of other features. Among the dozens of specific models cited are the AR-15, AK-47 and Uzi, according to the ordinance.

The rationale mentions four recent shooting incidents that have claimed a total of 150 lives: The shootings at Marjory Stoneman Douglas High School that left 17 dead; a massacre at the First Baptist Church in Sutherland Springs, Texas that killed 26 people; the Las Vegas music festival shooting that left 58 dead and the Pulse Nightclub mass shooting in Orlando, Fla. that killed 49 people.

Though the trustees had virtually no debate Monday night, more than 70 people attended the meeting. Of the 20 people who spoke, 14 were opposed to the ordinance and six supported it. Eight of 14 people who expressed opposition to the ban said they lived outside Deerfield.

Opponents of the ban like Larry Nordal of Deerfield cited their rights under the Second Amendment and expressed fear that more restrictive laws would be passed in the future.

“The ordinance to store firearms was only passed for one reason,” Nordal said. “That was to have an amendatory vehicle that could be used in the future for just this purpose so you could banish assorted firearms in the future. First it’s going to be assault rifles. (There will be) new bans in the future. It’s just a matter of time.”



Deerfield trustees prepare to vote on an assault weapons ban in front of a packed crowd April 2, 2018.

(Steve Sadin / Pioneer Press)

Ariella Kharasch, a Deerfield High School senior who favors the legislation, said she wants more action both on a local and national level.

“This is our fight,” Kharasch said. “This is our generation’s fight. We’re going to keep fighting and this is part of it. Change happens gradually step by step. The fight does not end at the borders of our village.”

Joel Siegel of Lincolnwood said governments in other countries have banned weapons and then proceeded to use weapons against defenseless citizens. He urged civil disobedience as a way to stay safe.

“There’s an ancient and honored American tradition called disobeying an unjust law,” Siegel said. “I have urged (people) to listen to their conscience and if so moved do not obey this law.”

Mike Weisman, a Glen Ellyn resident and a board member of the Illinois State Rifle Association said Deerfield should be prepared for a lawsuit like the one filed against neighboring Highland Park. That city received assistance with its legal defense from gun violence prevention organizations, according to Street.

While the trustees did not discuss their reasons for supporting the ordinance at this meeting, Trustee Barbara Struthers said she knew of people who were opposed but chose not to come and speak because it would subject them to ridicule in the community. She wants none of that.

“I’m going to vote for the ordinance but people who disagree with the gun owners should not be beating them over the head just because they disagree,” Struthers said.

Deerfield Mayor Harriet Rosenthal has previously stated that she decided to take up the ban after the Feb. 14 school shooting in Parkland, Fla.

“Enough is enough,” Rosenthal said when the ban was first discussed. “Those students are so articulate just like our students. There is no place here for assault weapons.”

Steve Sadin is a freelance reporter for Pioneer Press.