

SAFE Firearms Ordinance

Sensitive places, Assault weapons, Facsimile Firearms, and Enforcement

Authors: Council Members Chowdhury, Palmisano, Whiting, and
Chavez




Minneapolis
City of Lakes

Sections 393.10 to 393.70
Effective 30 days after publication

Sections Effective 30 days After Publication

393.10. State regulations incorporated. The provisions of the Minnesota Statutes regulating firearms are incorporated into this chapter.

393.20. Severability. If any clause, sentence, section, or provision of this chapter is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such holding must not affect the remaining provisions of this chapter which must remain in full force and effect.

393.30 Definitions

- **Assault weapons**
- **Binary trigger**
- **Controlled substance**
- **Facsimile firearm**
- **Firearm**
- **Ghost gun**
- **Large capacity magazine**
- **Permanently inoperable**
- **Possess, Possesses, Possessed, Possession**
- **Public place**
- **Secured container**
- **Sensitive place**
- **Unfinished frame or receiver**
- **Unserialized**
- **Weapon**

Assault weapon means “semiautomatic military-style assault weapon” as defined in subsection (a).

Binary trigger means a device, mechanism, or part designed, marketed, or intended to cause a firearm to discharge one round when the trigger is pulled and to discharge an additional round when the trigger is released, including devices commonly known as Binary triggers, “two-stage” firing devices that produce this effect, and a conversion kit, component, or accessory that enables such functionality.

Controlled substance has the meaning assigned by Minnesota Statutes Section 152.01, Subd. 4, except that it does not include a substance that the person possesses lawfully.

Facsimile firearm means an object which is a replica of a firearm, or which could reasonably be perceived to be a firearm but is not a firearm, unless:

Firearm has the meaning assigned by Minnesota Statutes Section 609.666, Subd. 1.

Ghost gun means a firearm or unfinished frame or receiver that:

- (1) Lacks a unique serial number engraved or imprinted in metal alloy on the frame or receiver;
- (2) Is undetectable by a metal detector under the terms of United States Code, Title 18, Section 922(p), or can be readily modified to become undetectable; or
- (3) Is manufactured by a three-dimensional printer or computer numerical control milling machine by a person who is not a licensed manufacturer under the terms of United States Code, Title 18, Section 923.

Ghost gun does not include a firearm or unfinished frame or receiver that is permanently inoperable, is an antique firearm as defined in subsection (a), or was manufactured prior to 1968

393.30 Definitions

- Assault weapons
- Binary trigger
- Controlled substance
- Facsimile firearm
- Firearm
- Ghost gun
- **Large capacity magazine**
- **Permanently inoperable**
- **Possess, Possesses, Possessed, Possession**
- **Public place**
- Secured container
- Sensitive place
- Unfinished frame or receiver
- Unserialized
- Weapon

Large-capacity magazine means an ammunition feeding device that can accept more than ten (10) rounds, including any device that can be readily restored or converted to accept more than ten (10) rounds. “Large-capacity magazine” does not include:

- (1) A tubular magazine that is contained in a lever-action firearm; or
- (2) A .22 caliber fixed tubular magazine.

Permanently inoperable means a firearm is no longer capable of discharging a shot by means of an explosive and is incapable of being readily restored to a firing condition. The determination of whether restoration is “readily” possible shall consider the time, ease, expertise, equipment, parts availability, expense, scope of change required, and feasibility of restoration.

Possess, Possesses, Possessed, or Possession means actual possession or constructive possession of an item. Both “actual possession” and “constructive possession” have the same meaning provided for under Minnesota law.

Public place has the meaning assigned by Minnesota Statutes Section 624.7181.

Readily available means that ammunition is within the actor's reach and is unboxed or in a device designed for the rapid loading of a firearm.

393.30 Definitions

- Assault weapons
- Binary trigger
- Controlled substance
- Facsimile firearm
- Firearm
- Ghost gun
- Large capacity magazine
- Permanently inoperable
- Possess, Possesses, Possessed, Possession
- Public place
- Secured container
- Sensitive place
- Unfinished frame or receiver
- Unserialized
- Weapon

Secured container means a closed and fastened case, box, or secured package having no mechanical features designed for immediate weapons removal or use. A sheath, holster, or scabbard, alone, is not a "secured container."

Sensitive place means a city-owned, -leased, or -controlled building or property that is open to the public for governmental, educational, recreational, cultural, or civic purposes. For purposes of this definition, sensitive place does not include any city-owned, -leased, or -controlled parking ramp, parking lot, or public right-of-way

Unfinished frame or receiver means a forging, casting, printing, extrusion, machined body, or similar article that has reached a stage where it may be readily completed, assembled, or converted into a functional firearm.

Unserialized means lacking a serial number imprinted by:

(1) A federal firearms manufacturer, federal firearms importer, federal firearms dealer, or other federal licensee authorized to provide marking services, pursuant to a requirement under federal law; or

(2) A federal firearms dealer or other federal licensee authorized to provide marking services.

Weapon means "dangerous weapon" as defined in Minnesota Statutes Section 609.02.

Sections Effective 30 days After Publication

393.40. Violations.

393.50. Collectors show permit.

393.60. Restrictions on possession, conveyance, and display of non-firearm weapons and facsimile firearms.

393.70. Discharge of firearms.

Sections 393.80 to 393.1500

Will only go into effect contingent on state level law change, including repealing or amending existing statute and giving authority to the City of Minneapolis to enact regulations.

Sections that are contingent and will not go into effect unless State legislative contingencies are met.

393.80. Assault weapons. (a) Assault weapons prohibited.

393.90. Large-capacity magazines. (a) Large-capacity magazines prohibited.

393.100. Binary triggers. (a) Binary triggers prohibited.

393.110. – Ghost guns. (a) Ghost guns prohibited.

Continued Sections.

393.120. Firearms; possession in sensitive places prohibited. (a) Firearms prohibited in sensitive places. It is unlawful for a person to possess a firearm in a sensitive place.

393.130. Firearms; possession near controlled substances prohibited. It is unlawful for a person to possess a firearm in a room that contains a controlled substance.

393.140. Firearms; possession in public places prohibited. (a) It is unlawful for a person to possess a firearm in a public place, with exceptions.

393.150. Firearms; safe storage. (a) It is unlawful for a person to store, keep, or leave a firearm unattended in any place with exceptions.

If requirements regarding state law change are met, the City Attorney shall so certify to the city council with a notice of the effective date, which shall be at least ninety (90) days after certification to the City Council.

Amendments to considered at Committee of The Whole 5/5

- Definitions Changes:
 - Large Capacity Magazines defined as 10 rounds instead of 20 rounds
 - Locking device means a feature of a firearm or an external device that renders the firearm inaccessible, inoperable, or both, to children and unauthorized users, including, but not limited to, a biometric lock, trigger lock, barrel lock, or cylinder lock.
 - Unattended means not within the person's actual possession or accessible to the person within a time frame sufficient to prevent unauthorized access, interference, or removal by another person.

Amendments to considered at Committee of The Whole 5/5

Safe Storage Provision

393.150. Firearms; safe storage. (a) It is unlawful for a person to store, keep, or leave a firearm unattended in any place unless the firearm is:

- (1) Stored in a locked container; or
- (2) Disabled with a locking device.

(b) It is unlawful for a person to store, keep, or leave a firearm in an unattended vehicle for any length of time, unless:

- (1) The vehicle is locked; and
- (2) Neither the firearm nor its locked container are visible from outside the vehicle.

(c) It is unlawful for a person to store, keep, or leave a firearm in an unattended vehicle between the hours of 10pm and 4am, unless the vehicle is parked in a secured garage accessible only to the vehicle owner and members of the vehicle owner's household.

Goes into effect with contingencies explained previously.

Questions?