

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE IMPLEMENTING STRICTER SECURITY AND SAFETY STANDARDS FOR FIREARMS RETAIL STORES

#0465

Sponsor:

**Council
Member
Darby**

WHEREAS, the City of Wilmington is charged with the responsibility of ensuring the health, safety, and welfare of its citizens by administering and enforcing regulations of the building industry; and

WHEREAS, other jurisdictions, including New Castle County, have adopted ordinances and business regulations that govern the sale of firearms, including requiring enhanced security and safety requirements for firearms retailers; and

WHEREAS, City Council deems it necessary and proper to amend Chapter 4 of the City Code to effectuate these changes provided herein.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. CHAPTER 4, section 4-27 of the City Code is amended by adding in the underlined language as follows:

CHAPTER 2 DEFINITIONS

Section 202.0

Firearm: Firearm shall have the definition stated in 11 Del. C. § 222.

SECTION 2. Chapter 4, section 4-27 of the City Code is amended by adding in the underlined language as follows:

CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

SECTION 309, Mercantile Group M, is amended by adding new subsection 309.3 to read as follows:

309.3 Firearm retail businesses. Firearm retail businesses shall comply with Section 429.

SECTION 3. Chapter 4, Section 4-27 of the City Code is amended by adding in the underlined language as follows:

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE is amended by adding in new subsection Section 429 Firearm Retail Businesses to read as follows:

Section 429, Firearm retail businesses.

Section 429.1, General. The provisions of Sections 429.2 and 429.3 shall apply to buildings used in whole or in part for the sale of firearms.

Section 429.2, Construction. Firearm retail business buildings shall be constructed in accordance with the Code and shall contain all the following:

- (1) Equipment to video record the interior and exterior of the premises.
- (2) A security alarm system that is continually monitored.
- (3) Bars, security screens, commercial grade metal doors, grates, or other physical barriers approved by L&I are installed on all exterior doors and windows to prevent unauthorized entry.
- (4) If practicable, physical barriers designed to prevent the use of motor vehicles to breach all buildings where firearms are stored.
 - a. Exception. The firearm retail business locks and stores all firearms in a vault, safe, or secure room or portion of the building that meets the requirements set forth in this section when the business is closed.

Section 429.3, Means of Egress. The requirements of this section shall not supersede any means of egress requirements set forth in this Chapter.

SECTION 4. This Ordinance shall become effective January 1, 2025.

First Reading..... August 22, 2024
Second Reading..... August 22, 2024
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk
Approved this ___ day of _____, 2024

Mayor

SYNOPSIS: This Ordinance amends the City’s Building Code in order to require more enhanced safety and security measures for buildings used in whole or in part for the sale of firearms.

FISAL IMPACT: This Ordinance’s fiscal impact shall be *de minimis*.