

The City of Portsmouth

"Where the Ohio and Scioto Meet"

Department of Law
Municipal Building

Room 22
728 Second Street
Portsmouth, Ohio 45662

Telephone: (740) 353-5229
Fax: (740) 353-0136

David W. Kuhn
City Solicitor



FILE COPY

State of Ohio

November 18, 2005

NRA Institute for Legislative Action
11250 Waples Mill Rd.
Fairfax, VA 22030

Re: Municipal firearm records

Gentleman:

This is in follow up to the enclosed correspondence sent to you August 26, 2005. Please furnish me with any literature or information which is available to assist me in determining the validity of this ordinance.

Thank you for your prompt attention to this second request..

Very truly yours,

David W. Kuhn
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David W. Kuhn
City Solicitor

Enclosure

DWK/kh

The City of Portsmouth

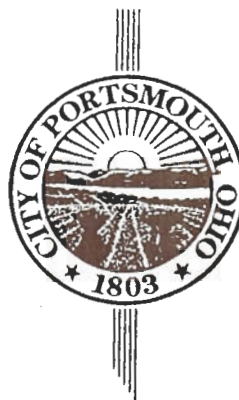
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State of Ohio

August 26, 2005

NRA Institute for Legislative Action
11250 Waples Mill Rd.
Fairfax, VA 22030

Re: Municipal firearm records

Gentlemen:

I have been a member of the NRA and the NRA-ILA for many years. As the City Solicitor of the City of Portsmouth, Ohio, I have been requested to determine the validity of one of the City Codified Ordinances, which was enacted on December 23, 1975. Section 705.30 is entitled "Dealers in Firearms and Ammunition; Fee; Records and Reports," which states:

"All dealers in guns, revolvers, pistols, firearms, ammunition for firearms or dangerous weapons shall pay a license fee of twenty dollars (\$20.00) per annum."

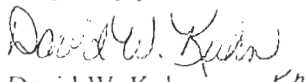
"It shall be the duty of any person licensed under this section to keep in a separate book kept for that purpose a record of each sale of any gun, revolver, pistol, firearm or other dangerous weapon, which record shall include a description of the article sold, including the manufacturer's name and number, the name and address and description to whom sold, and the date and hour on which the sale was made. The holder of such license shall also prepare and deliver each day to the Chief of Police a legible and correct copy written in the English language from such book, containing the description of such articles sold, the hour at which the purchase was made and a description of the person to whom it was sold."
(Ord. 1975-121. Passed 12-23-75.)

A non-resident of the City has questioned the validity of this ordinance. Portsmouth is a "home rule" city, and under the Ohio constitution may exercise municipal police powers relating to local matters.

Please furnish me with any literature or information which is available, to assist me in determining the validity of this ordinance.

Thank you.

Very truly yours,


David W. Kuhn
City Solicitor