

Bob Mollette

3rd Ward Councilman

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November 2, 2007

Jim Kalb, Mayor
728 Second Street
Portsmouth, Ohio 45662

David Kuhn, Solicitor
728 Second Street
Portsmouth, Ohio 45662

Re: Gun Registration in City of Portsmouth – Repeal of Codified Ordinance 705.30

On October 8, 2007, the gun registration (pink form) required by the City of Portsmouth through Codified Ordinance 705.30 was repealed by City Council with passage of Ordinance 2007-72 (enclosed). As we discussed shortly after passage, the City gun dealers have not been notified the completion of the pink form was no longer required by the City.

On October 22, 2007, prior to the Regular City Council Meeting, I confirmed the pink forms were still being completed and requested the City to notify the City gun dealers that the requirements of Codified Ordinance 705.30 had been repealed. As of today, notification has not been made and the pink form is still being completed.

During the October 22, 2007 City Council Meeting I requested the support of the Mayor and Solicitor to properly destroy the records generated by Codified Ordinance 705.30 since March 14, 2007 per Ohio Public Records Act. Ohio House Bill 347 (HB347) became effective on March 14, 2007 which provides for uniform laws throughout Ohio with respect to regulation of firearms. I believe the records generated since March 14, 2007 are in conflict with HB 347.

If you should have any questions or comments contact me.

Respectfully,



Bob Mollette, 3rd Ward Advocate and Representative on City Council

rwm

cc:/enclosure

Honorable Council Members
Harold T. Pack @ packdoublep@sciotowireless.net
Dave LaCourse, NRA-ILA @ davelacourse@frontiernet.net
Diamond Gem Lending Co @ 400 Chillicothe Street Portsmouth, Ohio 45662
JJR Gun Shop @ 934 Gallia Street Portsmouth, Ohio 45662
Jo Ann Aeh, Clerk (Record)

ORDINANCE

Year - 2007 Number -72-

Repealing Section 705.30 - Dealers in Firearms and Ammunition; Fee; Records and Reports of the Codified Ordinances of the City of Portsmouth.

Whereas, Codified Ordinance Section 705.30 provides that all dealers in firearms, ammunition and dangerous weapons shall be licensed and pay a licensing fee annually. The section also requires licensed firearm dealers to keep a record of each firearm sale and to deliver a copy to the Chief of Police; and

Whereas, recently the Ohio General Assembly enacted House Bill 347, which recognizes the need for uniform laws throughout the State of Ohio regarding the regulation of firearm purchases and sales. The new law does not apply to zoning ordinances that regulate the commercial sale of firearms in areas zoned for residential or agricultural uses, nor does it apply to zoning ordinance that specify the hours of operation or the geographic areas where the commercial sale of firearms may occur; and

Whereas, after consultation with the Chief of Police, it is felt that Section 705.30 is no longer needed, and should be repealed. Now, therefore,


BE IT ORDAINED by the City Council of the City of Portsmouth, Ohio:

SECTION I. That Section 705.30 - Dealers in Firearms and Ammunition; Fee; Records and Reports of the Codified Ordinances of the City of Portsmouth is hereby repealed.

SECTION II. This Ordinance directing administrative action as provided for in Section 12 of the Charter of the City of Portsmouth, Ohio shall be in force and effect from and after its passage.

Passed this 8th day of October, 2007.

Attest:


City Clerk


President of Council