

State Laws and Published Ordinances – Arizona

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Office of the Attorney General

2005 N Central Avenue
Phoenix, AZ 85004

Phone: (602) 542-5025

<https://www.azag.gov/>



Phoenix Field Division

201 E Washington Street, Suite 940

Phoenix, AZ 85004

Voice: (602) 776-5400 (criminal)

Voice: (602) 776-5480 (industry)

<https://www.atf.gov/phoenix-field-division>



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Title 8 – Child Safety
Chapter 2 – Juvenile Court
Article 4 – Disposition and Commitment

Section 8-249. Restoration of civil rights; persons adjudicated delinquent

- A.** A person who was adjudicated delinquent and whose period of probation has been completed may have the right to possess or carry a firearm restored by the superior court in the county where the person was adjudicated at the end of the person's term of probation.
- B.** A person who was adjudicated delinquent and who has been discharged from probation, on proper application, may have the right to carry or possess a firearm restored by the judge of the juvenile court in the county where the person was adjudicated delinquent or the judge's successors. The clerk of the superior court shall process the application on the request of the person involved or the person's attorney. The applicant shall serve a copy of the application on the county attorney.
- C.** If the person's adjudication was for a dangerous offense under section 13-704, a serious offense as defined in section 13-706, burglary in the first degree, burglary in the second degree or arson, the person may not file for the restoration of the right to possess or carry a gun or firearm until the person attains thirty years of age. If the person's adjudication was for any other felony offense, the person may not file for the restoration of the right to possess or carry a gun or firearm for two years from the date of the person's discharge.

Title 13 – Criminal Code
Chapter 9 – Probation & Restoration of Civil Rights

Section 13-904. Suspension of civil rights and occupational disabilities.

- A.** A conviction for a felony suspends the following civil rights of the person sentenced:
- 5.** The right to possess a firearm.
- D.** The conviction of a person for any offense shall not work forfeiture of any property, except if a forfeiture is expressly imposed by law. All forfeitures to the state, unless expressly imposed by law, are abolished.
- E.** A person shall not be disqualified from employment by this state or any of its agencies or political subdivisions solely because of a prior conviction for a felony or misdemeanor within or without this state. A person may be denied employment by this state or any of its agencies or political subdivisions by reason of the prior conviction for a felony or misdemeanor if the offense has a reasonable relationship to the functions of the employment sought.
- H.** A person who is adjudicated delinquent under section 8-341 for a felony does not have the right to carry or possess a firearm.

Section 13-905. Setting aside judgment of convicted person on discharge; application; release from disabilities; firearm possession; exceptions

- A.** Except as provided in subsection N of this section, every person convicted of a criminal offense, on fulfillment of the conditions of probation or sentence and discharge by the court, may apply to the court to have the judgment of guilt set aside. The convicted person shall be informed of this right at the time of sentencing.
- B.** The person or the person's attorney or probation officer may apply to set aside the judgment. The clerk of the court may not charge a filing fee for an application to have a judgment of guilt set aside.
- C.** The court shall consider the following factors when determining whether to set aside the conviction:
- 1.** The nature and circumstances of the offense that the conviction is based on.
 - 2.** The applicant's compliance with the conditions of probation, the sentence imposed and any state department of corrections' rules or regulations, if applicable.
 - 3.** Any prior or subsequent convictions.
 - 4.** The victim's input and the status of victim restitution, if any.
 - 5.** The length of time that has elapsed since the completion of the applicant's sentence.
 - 6.** The applicant's age at the time of the conviction.
 - 7.** Any other factor that is relevant to the application.

D. If the application is granted, the court shall set aside the judgment of guilt, dismiss the complaint, information or indictment and order that the person be released from all penalties and disabilities resulting from the conviction except those imposed by:

1. The department of transportation pursuant to section 28-3304, 28-3305, 28-3306, 28-3307, 28-3308, 28-3312 or 28-3319.
2. The game and fish commission pursuant to section 17-314 or 17-340.

E. A conviction that is set aside may be:

1. Used as a conviction if the conviction would be admissible had it not been set aside.
2. Alleged as an element of an offense.
3. Used as a prior conviction.
4. Pleaded and proved in any subsequent prosecution of the person by this state or any political subdivision of this state for any offense.
5. Used by the department of transportation in enforcing section 28-3304, 28-3305, 28-3306, 28-3307, 28-3308, 28-3312 or 28-3319 as if the judgment of guilt had not been set aside.

F. The clerk of the court must notify the department of public safety if a conviction is set aside. The department of public safety must update the person's criminal history with an annotation that the conviction has been set aside and, if applicable, a certificate of second chance has been issued but may not redact or remove any part of the person's record.

G. This section does not:

1. Require a law enforcement agency to redact or remove a record or information from the record of a person whose conviction is set aside.
2. Preclude the department of public safety or the board of fingerprinting from considering a conviction that has been set aside when evaluating an application for a fingerprint clearance card pursuant to section 41-1758.03 or 41-1758.07.

H. If the state or the victim objects to an application to have a judgment of guilt set aside, an objection to the application must be filed within thirty days after the application is filed with the court. If an objection is filed, the court may set a hearing.

I. If the court denies an application to have a judgment of guilt set aside, the court shall state its reasons for the denial in writing and on the record.

J. A victim has the right to be present and be heard at any proceeding in which the defendant has filed an application to have a judgment of guilt set aside pursuant to this section. If the victim has made a request for postconviction notice, the attorney for the state shall provide the victim with notice of the defendant's application, whether the person is eligible for a certificate of second chance and of the rights provided to the victim in this section.

K. If the court grants the application to set aside the judgment of guilt, the court's order must include a certificate of second chance if the person has not previously received a certificate of second chance and the person was convicted of a misdemeanor, if the person was convicted of a class 4, 5 or 6 felony and at least two years have elapsed since the person fulfilled the conditions of probation or sentence or if the person was convicted of a class 2 or 3 felony and at least five years have elapsed since the person fulfilled the conditions of probation or sentence. The certificate of second chance:

1. Unless specifically excluded by this section, releases the person from all barriers and disabilities in obtaining an occupational license issued under title 32 that resulted from the conviction if the person is otherwise qualified.
2. Provides an employer of the person with all of the protections that are provided pursuant to section 12-558.03.
3. Provides another person or an entity that provides housing to the person with all of the protections limiting the introduction of evidence that are provided to an employer pursuant to section 12-558.03, subsection B.
4. Is not a recommendation or sponsorship for or a promotion of the person who possesses the certificate of second chance when applying for an occupational license, employment or housing.

L. If the court does not issue an order that includes a certificate of second chance when the person's conviction is set aside, the person may apply to the court for a certificate of second chance after meeting the requirements prescribed in subsection K of this section. If a victim has made a request for postconviction notice, the attorney for the state shall provide the victim with notice of the person's application for a certificate of second chance and the victim's rights under this section.

M. Notwithstanding section 13-910, if a conviction is set aside, the person's right to possess a firearm is restored. This subsection does not apply to a person who was convicted of a serious offense as defined in section 13-706.

N. This section does not apply to a person who was convicted of any of the following:

1. A dangerous offense.
2. An offense for which the person is required or ordered by the court to register pursuant to section 13-3821.
3. An offense for which there has been a finding of sexual motivation pursuant to section 13-118.
4. A felony offense in which the victim is a minor under fifteen years of age.

Section 13-906. Restoration of civil rights; process

A. At the time of sentencing, the court shall inform a person in writing of the person's right to the restoration of civil rights.

B. The clerk of the court shall notify the department of public safety if the court restores the person's civil rights, including whether a person's right to possess a firearm is restored. The department of public safety shall update the person's criminal history with an annotation that the person's civil rights have been restored and any exceptions ordered but may not redact or remove any part of the person's record.

C. The restoration of a person's civil rights does not preclude the department of public safety or the board of fingerprinting from considering a conviction of a person whose civil rights have been restored when evaluating an application for a fingerprint clearance card pursuant to section 41-1758.03 or 41-1758.07.

D. If the court denies an application for the restoration of a person's civil rights, the court shall state its reasons for the denial in writing.

E. If the restoration of a person's civil rights is discretionary with the court, a victim has the right to be present and be heard at any proceeding in which the defendant files an application for the restoration of civil rights. If the victim has made a request for postconviction notice, the attorney for the state shall provide the victim with notice of the defendant's application and of the rights provided to the victim in this section.

Section 13-907. Automatic restoration of civil rights for first offenders; exception; definition.

A. On completion of probation for an offense committed in this state or absolute discharge from imprisonment, any person who has not previously been convicted of a felony offense shall automatically be restored any civil rights that were lost or suspended as a result of the conviction if the person pays all victim restitution imposed. A person who is entitled to the restoration of any civil rights pursuant to this subsection is not required to file an application pursuant to § 13-908, except that if the person does file an application, the court shall grant the application without receiving a response from the state or holding a hearing.

B. On completion of probation for an offense committed outside the jurisdiction of this state or absolute discharge from a prison in another state or the federal bureau of prisons, a person who has not previously been convicted of a felony offense is eligible for automatic restoration of any civil rights that were lost or suspended as a result of the conviction if the person pays all victim restitution imposed. A person who is entitled to the restoration of any civil rights pursuant to this subsection shall file an application pursuant to § 13-908, and the court shall grant the application without receiving a response from the state or holding a hearing.

C. This section does not apply to a person's right to possess a firearm as defined in section 13-3101. The court may order the restoration of the right to possess a firearm pursuant to section 13-910.

1. A dangerous offense under § 13-704 or an offense committed outside the jurisdiction of this state that would be a dangerous offense under § 13-704 if committed in this state.

2. A serious offense as defined in § 13-706 or an offense committed outside the jurisdiction of this state that would be a serious offense as defined in § 13-706 if committed in this state.

D. If the person is not entitled to the automatic restoration of firearm rights pursuant to this section, the court may order the restoration of the right to possess a firearm pursuant to § 13-910.

Section 13-908. Restoration of civil rights; application; firearm rights definition.

A. On final discharge, a person who has previously been convicted of a felony or who has not paid all victim restitution that was imposed may apply to the superior court to have the person's civil rights restored. The restoration of civil rights is in the discretion of the judicial officer.

B. The person or the person's attorney or probation officer may file the application for the restoration of civil rights. The clerk of the court may not charge a filing fee for an application. The clerk of the court shall forward a copy of the application to the county attorney or attorney general.

C. A person whose civil rights were lost or suspended as a result of a felony conviction in another state or a United States district court and whose period of probation has been completed may file the application for restoration of civil rights in the county in which the person now resides.

D. A person whose civil rights were lost or suspended as a result of a felony conviction in another state or a United States district court and who has received an absolute discharge from imprisonment in a prison in another state or a federal prison shall file the application for the restoration of civil rights in the county in which the person now resides. The restoration of civil rights is in the discretion of the judicial officer.

E. This section does not apply to a person's right to possess a firearm as defined in section 13-3101 if the person was convicted of any of the following:

1. A dangerous offense under section 13-704 or an offense committed outside the jurisdiction of this state that would be a dangerous offense under section 13-704 if committed in this state.

2. A serious offense as defined in section 13-706 or an offense committed outside the jurisdiction of this state that would be a serious offense as defined in section 13-706 if committed in this state.

F. If the person is not entitled to the restoration of firearm rights pursuant to this section, the court may order the restoration of the right to possess a firearm pursuant to section 13-910. G. For the purposes of this section, "final discharge" means the completion of probation or the receipt of an absolute discharge from the state department of corrections, a prison in another state or the federal bureau of prisons.

Section 13-910. Restoration of right to possess a firearm.

A. A person who is convicted of a dangerous offense under section 13-704 or an offense committed outside the jurisdiction of this state that would be a dangerous offense under section 13-704 if committed in this state may not file for the restoration of the right to possess or carry a firearm. A person who is convicted of a serious offense as defined in section 13-706 or an offense committed outside the jurisdiction of this state that would be a serious offense as defined in section 13-706 if committed in this state may not file for the restoration of the right to possess or carry a firearm for ten years from the date of the person's absolute discharge. .

B. The restoration of the right to possess a firearm pursuant to this section is in the discretion of the judicial officer.

Section 13-925. Restoration of right to possess a firearm; mentally ill persons; petition.

A. A person may petition the court that entered an order, finding or adjudication that resulted in the person being a prohibited possessor as defined in section 13-3101, subsection A, paragraph 7, subdivision (a) or subject to 18 United States Code section 922(d)(4) or (g)(4) to restore the person's right to possess a firearm.

B. The person or the person's guardian or attorney may file the petition. The petition shall be served on the attorney for the state who appeared in the underlying case.

C. On the filing of the petition the court shall set a hearing. At the hearing, the person shall present psychological or psychiatric evidence in support of the petition. The state shall provide the court with the person's criminal history records, if any. The court shall receive evidence on and consider the following before granting or denying the petition:

1. The circumstances that resulted in the person being a prohibited possessor as defined in section 13-3101, subsection A, paragraph 7, subdivision (a) or subject to 18 United States Code section 922(d)(4) or (g)(4).
2. The person's record, including the person's mental health record and criminal history record, if any.
3. The person's reputation based on character witness statements, testimony or other character evidence.
4. Whether the person is a danger to self or others or has persistent, acute or grave disabilities or is persistently, acutely or gravely disabled or whether the circumstances that led to the original order, adjudication or finding remain in effect.
5. Any change in the person's condition or circumstances that is relevant to the relief sought.
6. Any other evidence deemed admissible by the court.

D. The petitioner shall prove by clear and convincing evidence both of the following:

1. The petitioner is not likely to act in a manner that is dangerous to public safety.
2. Granting the requested relief is not contrary to the public interest.

E. At the conclusion of the hearing, the court shall issue findings of fact and conclusions of law.

F. If the court grants the petition for relief, the original order, finding or adjudication is deemed not to have occurred for the purposes of applying section 13-3101, subsection A, paragraph 7, subdivision (a), Public Law 110-180, section 105(a) or 18 United States Code section 922(d)(4) or (g)(4) to that person.

G. The granting of a petition under this section only restores the person's right to possess a firearm and does not apply to and has no effect on any other rights or benefits the person receives.

H. The court shall promptly notify the supreme court and the department of public safety of an order granting a petition under this section. As soon thereafter as practicable the supreme court and the department shall update, correct, modify or remove the person's record in any database that the supreme court or the department maintains and makes available to the national instant criminal background check system consistent with the rules pertaining to the database. Within ten business days after receiving the notification from the court, the department shall notify the United States attorney general that the person no longer falls within the provisions of section 13-3101, subsection A, paragraph 7, subdivision (a) or 18 United States Code section 922(d)(4) or (g)(4).

Chapter 31 – Weapons & Explosives

Section 13-3101. Definitions.

A. In this chapter, unless the context otherwise requires:

1. **"Deadly weapon"** means anything that is designed for lethal use. The term includes a firearm.
2. **"Deface"** means to remove, alter or destroy the manufacturer's serial number.
3. **"Explosive"** means any dynamite, nitroglycerine, black powder, or other similar explosive material, including plastic explosives. Explosive does not include ammunition or ammunition components such as primers, percussion caps, smokeless powder, black powder and black powder substitutes used for hand loading purposes.
4. **"Firearm"** means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.
5. **"Improvised explosive device"** means a device that incorporates explosives or destructive, lethal, noxious, pyrotechnic or incendiary chemicals and that is designed to destroy, disfigure, terrify or harass.
7. **"Prohibited possessor"** means any person:
 - (a) Who has been found to constitute a danger to self or to others or to have a persistent or acute disability or grave disability pursuant to court order pursuant to section 36-540, and whose right to possess a firearm has not been restored pursuant to section 13-925.
 - (b) Who has been convicted within or without this state of a felony or who has been adjudicated delinquent for a felony and whose civil right to possess or carry a firearm has not been restored.

(c) Who is at the time of possession serving a term of imprisonment in any correctional or detention facility.

(d) Who is at the time of possession serving a term of probation pursuant to a conviction for a domestic violence offense as defined in section 13-3601 or a felony offense, parole, community supervision, work furlough, home arrest or release on any other basis or who is serving a term of probation or parole pursuant to the interstate compact under title 31, chapter 3, article 4.1.

(e) Who is an undocumented alien or a nonimmigrant alien traveling with or without documentation in this state for business or pleasure or who is studying in this state and who maintains a foreign residence abroad. This subdivision does not apply to:

(i) Nonimmigrant aliens who possess a valid hunting license or permit that is lawfully issued by a state in the United States.

(ii) Nonimmigrant aliens who enter the United States to participate in a competitive target shooting event or to display firearms at a sports or hunting trade show that is sponsored by a national, state or local firearms trade organization devoted to the competitive use or other sporting use of firearms.

(iii) Certain diplomats.

(iv) Officials of foreign governments or distinguished foreign visitors who are designated by the United States department of state.

(v) Persons who have received a waiver from the United States attorney general.

(f) Who has been found incompetent pursuant to rule 11, Arizona rules of criminal procedure, and who subsequently has not been found competent.

(g) Who is found guilty except insane.

8. "Prohibited weapon":

(a) Includes the following:

(i) An item that is a bomb, grenade, rocket having a propellant charge of more than four ounces or mine and that is explosive, incendiary or poison gas.

(ii) A device that is designed, made or adapted to muffle the report of a firearm.

(iii) A firearm that is capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger.

(iv) A rifle with a barrel length of less than 16 inches, or shotgun with a barrel length of less than 18 inches, or any firearm that is made from a rifle or shotgun and that, as modified, has an overall length of less than 26 inches.

(vii) An improvised explosive device.

(viii) Any combination of parts or materials that is designed and intended for use in making or converting a device into an item set forth in item (i), (v) or (vii) of this subdivision.

(b) Does not include:

(i) Any fireworks that are imported, distributed or used in compliance with state laws or local ordinances.

(ii) Any propellant, propellant actuated devices or propellant actuated industrial tools that are manufactured, imported or distributed for their intended purposes.

(iii) A device that is commercially manufactured primarily for the purpose of illumination.

9. "Trafficking" means to sell, transfer, distribute, dispense or otherwise dispose of a weapon or explosive to another person, or to buy, receive, possess or obtain control of a weapon or explosive, with the intent to sell, transfer, distribute, dispense or otherwise dispose of the weapon or explosive to another person.

B. The items set forth in subsection A, paragraph 8, subdivision (a), items (i), (ii), (iii) and (iv) of this section do not include any firearms or devices that are possessed, manufactured or transferred in compliance with federal law.

Section 13-3102. Misconduct involving weapons; defenses; classification; definitions.

A. A person commits misconduct involving weapons by knowingly:

3. Manufacturing, possessing, transporting, selling or transferring a prohibited weapon, except that if the violation involves dry ice, a person commits misconduct involving weapons by knowingly possessing the dry ice with the intent to cause injury to or death of another person or to cause damage to the property of another person; or

4. Possessing a deadly weapon or prohibited weapon if such person is a prohibited possessor; or
5. Selling or transferring a deadly weapon to a prohibited possessor; or
6. Defacing a deadly weapon; or
7. Possessing a defaced deadly weapon knowing the deadly weapon was defaced; or
12. Possessing a deadly weapon on school grounds; or
16. Trafficking in weapons or explosives for financial gain in order to assist, promote or further the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise.

C. Subsection A, paragraphs 2, 3, 7, 10, 11, 12 and 13 of this section shall not apply to:

1. A peace officer or any person summoned by any peace officer to assist and while actually assisting in the performance of official duties; or
2. A member of the military forces of the United States or of any state of the United States in the performance of official duties; or
3. A warden, deputy warden, community correctional officer, detention officer, special investigator or correctional officer of the state department of corrections or the department of juvenile corrections; or
4. A person specifically licensed, authorized or permitted pursuant to a statute of this state or of the United States.

D. Subsection A, paragraph 10 of this section does not apply to an elected or appointed judicial officer in the court facility where the judicial officer works if the judicial officer has demonstrated competence with a firearm as prescribed in section 13-3112, subsection N, except that the judicial officer shall comply with any rule or policy adopted by the presiding judge of the superior court while in the court facility. For the purposes of this subsection, appointed judicial officer does not include a hearing officer or a judicial officer pro tempore who is not a full-time officer.

E. Subsection A, paragraphs 3 and 7 of this section shall not apply to:

1. The possessing, transporting, selling or transferring of weapons by a museum as a part of its collection or an educational institution for educational purposes or by an authorized employee of such museum or institution, if:
 - (a) Such museum or institution is operated by the United States or this state or a political subdivision of this state, or by an organization described in 26 United States Code section 170(c) as a recipient of a charitable contribution; and
 - (b) Reasonable precautions are taken with respect to theft or misuse of such material.
2. The regular and lawful transporting as merchandise; or
3. Acquisition by a person by operation of law such as by gift, devise or descent or in a fiduciary capacity as a recipient of the property or former property of an insolvent, incapacitated or deceased person.

F. Subsection A, paragraph 3 of this section shall not apply to the merchandise of an authorized manufacturer of or dealer in prohibited weapons, when such material is intended to be manufactured, possessed, transported, sold or transferred solely for or to a dealer, a regularly constituted or appointed state, county or municipal police department or police officer, a detention facility, the military service of this or another state or the United States, a museum or educational institution or a person specifically licensed or permitted pursuant to federal or state law.

H. Subsection A, paragraph 12 of this section shall not apply to a weapon if such weapon is possessed for the purposes of preparing for, conducting or participating in hunter or firearm safety courses.

I. Subsection A, paragraph 12 of this section shall not apply to the possession of a:

1. Firearm that is not loaded and that is carried within a means of transportation under the control of an adult provided that if the adult leaves the means of transportation the firearm shall not be visible from the outside of the means of transportation and the means of transportation shall be locked.
2. Firearm for use on the school grounds in a program approved by a school.
3. Firearm by a person who possesses a certificate of firearms proficiency pursuant to section 13-3112, subsection T and who is authorized to carry a concealed firearm pursuant to the law enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States Code sections 926B and 926C).

J. Subsection A, paragraphs 2, 3, 7 and 13 of this section shall not apply to commercial nuclear generating station armed nuclear security guards during the performance of official duties or during any security training exercises sponsored by the commercial nuclear generating station or local, state or federal authorities.

K. The operator of the establishment or the sponsor of the event or the employee of the operator or sponsor or the agent of the sponsor, including a public entity or public employee, is not liable for acts or omissions pursuant to subsection A, paragraph 10 of this section unless the operator, sponsor, employee or agent intended to cause injury or was grossly negligent.

L. If a law enforcement officer contacts a person who is in possession of a firearm, the law enforcement officer may take temporary custody of the firearm for the duration of that contact.

M. Misconduct involving weapons under subsection A, paragraph 15 of this section is a class 2 felony. Misconduct involving weapons under subsection A, paragraph 9, 14 or 16 of this section is a class 3 felony. Misconduct involving weapons under subsection A, paragraph 3, 4, 8 or 13 of this section is a class 4 felony. Misconduct involving weapons under subsection A, paragraph 12 of this section is a class 1 misdemeanor unless the violation occurs in connection with conduct that violates section 13-2308, subsection A, paragraph 5, section 13-2312, subsection C, section 13-3409 or section 13-3411, in which case the offense is a class 6 felony. Misconduct involving weapons under subsection A, paragraph 1, subdivision (a) of this section or subsection A, paragraph 5, 6 or 7 of this section is a class 6 felony. Misconduct involving weapons under subsection A, paragraph 1, subdivision (b) of this section or subsection A, paragraph 10 or 11 of this section is a class 1 misdemeanor. Misconduct involving weapons under subsection A, paragraph 2 of this section is a class 3 misdemeanor.

N. For the purposes of this section:

4. **"School"** means a public or nonpublic kindergarten program, common school or high school.

5. **"School grounds"** means in, or on the grounds of, a school.

Section 13-3105. Forfeiture of weapons and explosives.

A. On the conviction of any person for a violation of any felony in this state in which a deadly weapon, dangerous instrument or explosive was used, displayed or unlawfully possessed by the person, the court shall order the article forfeited and sold within one year after its forfeiture to any business that is authorized to receive and dispose of the article under federal and state law and that shall sell the article to the public according to federal and state law, unless the article is otherwise prohibited from being sold under federal and state law, in which case it shall be destroyed or otherwise properly disposed.

B. On the conviction of any person for a violation of section 13-2904, subsection A, paragraph 6 or section 13-3102, subsection A, paragraph 1 or 8, the court may order the forfeiture of the deadly weapon or dangerous instrument involved in the offense.

C. If at any time the court finds pursuant to rule 11 of the Arizona rules of criminal procedure that a person who is charged with a violation of this title is incompetent, the court shall order that any deadly weapon, dangerous instrument or explosive used, displayed or unlawfully possessed by the person during the commission of the alleged offense be forfeited and sold within one year after its forfeiture to any business that is authorized to receive and dispose of the article under federal and state law and that shall sell the article to the public according to federal and state law, unless the article is otherwise prohibited from being sold under federal and state law, in which case it shall be destroyed or otherwise properly disposed.

Section 13-3106. Firearm purchase in other states.

A person residing in this state, or a corporation or other business entity maintaining a place of business in this state, may purchase or otherwise obtain firearms anywhere in the United States if such purchase or acquisition fully complies with the laws of this state and the state in which the purchase or acquisition is made and the purchaser and seller, prior to the sale or delivery for sale, have complied with all the requirements of the federal gun control act of 1968, Public Law 90-618, section 922, subsection (c) and the Code of Federal Regulations, volume 26, section 178.96, subsection (c).

Section 13-3108. Firearms regulated by state; state preemption; injunction; civil penalty; cause of action; violation; classification; definition.

A. Except as provided in subsection G of this section, a political subdivision of this state shall not enact any ordinance, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms or ammunition or any firearm or ammunition components or related accessories in this state.

B. A political subdivision of this state shall not require the licensing or registration of firearms or ammunition or any firearm or ammunition components or related accessories or prohibit the ownership, purchase, sale or transfer of firearms or ammunition or any firearm or ammunition components, or related accessories.

C. A political subdivision of this state shall not require or maintain a record in any form, whether permanent or temporary, including a list, log or database, of any of the following:

1. Any identifying information of a person who leaves a weapon in temporary storage at any public establishment or public event, except that the operator of the establishment or the sponsor of the event may require that a person provide a government issued identification or a reasonable copy of a government issued identification for the purpose of establishing ownership of the weapon. The operator or sponsor shall store any provided identification with the weapon and shall return the identification to the person when the weapon is retrieved. The operator or sponsor shall not retain records or copies of any identification provided pursuant to this paragraph after the weapon is retrieved.

2. Except in the course of a law enforcement investigation, any identifying information of a person who owns, possesses, purchases, sells or transfers a firearm.

3. The description, including the serial number, of a weapon that is left in temporary storage at any public establishment or public event.

D. A political subdivision of this state shall not enact any rule or ordinance that relates to firearms and is more prohibitive than or that has a penalty that is greater than any state law penalty. A political subdivision's rule or ordinance that relates to firearms and that is inconsistent with or more restrictive than state law, whether enacted before or after July 29, 2010, is null and void.

G. This section does not prohibit a political subdivision of this state from enacting and enforcing any ordinance or rule pursuant to state law or relating to any of the following:

1. Imposing any privilege or use tax on the retail sale, lease or rental of, or the gross proceeds or gross income from the sale, lease or rental of, firearms or ammunition or any firearm or ammunition components at a rate that applies generally to other items of tangible personal property.

2. Prohibiting a minor who is unaccompanied by a parent, grandparent or guardian or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the minor's parent, grandparent or guardian from knowingly possessing or carrying on the minor's person, within the minor's immediate control or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property that is owned or leased by the minor or the minor's parent, grandparent or guardian. Any ordinance or rule that is adopted pursuant to this paragraph shall not apply to a minor who is 14, 15, 16 or 17 years of age and who is engaged in any of the following:

(a) Lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(b) Lawful transportation of an unloaded firearm for the purpose of lawful hunting.

(c) Lawful transportation of an unloaded firearm for the purpose of attending shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(d) Any activity that is related to the production of crops, livestock, poultry, livestock products, poultry products or ratites or storage of agricultural commodities.

3. The regulation of commercial land and structures, including a business relating to firearms or ammunition or their components or a commercial shooting range in the same manner as other commercial businesses. Notwithstanding any other law, this paragraph does not:

(a) Authorize a political subdivision to regulate the sale or transfer of firearms on property it owns, leases, operates or controls in a manner that is different than or inconsistent with state law. For the purposes of this subdivision, a use permit or other contract that provides for the use of property owned, leased, operated or controlled by a political subdivision shall not be considered a sale, conveyance or disposition of property.

(b) Authorize a political subdivision through a zoning ordinance to prohibit or otherwise regulate the otherwise lawful discharge of a firearm or maintenance or improvements directly related to the discharge on a private lot or parcel of land that is not open to the public on a commercial or membership basis.

(c) Authorize a political subdivision to regulate the otherwise lawful discharge of a firearm or maintenance or improvements directly related to the discharge on land that is used for agriculture or other noncommercial purposes.

M. For the purposes of this section, "**political subdivision**" includes a political subdivision acting in any capacity, including under police power, in a proprietary capacity or otherwise.

Section 13-3109. Sale or gift of firearm to minor; classification.

A. Except as provided in subsection C of this section, a person who sells or gives to a minor, without written consent of the minor's parent or legal guardian, a firearm, ammunition or a toy pistol by which dangerous and explosive substances may be discharged is guilty of a class 6 felony.

B. Nothing in this section shall be construed to require reporting sales of firearms, nor shall registration of firearms or firearms sales be required.

C. The temporary transfer of firearms and ammunition by firearms safety instructors, hunter safety instructors, competition coaches or their assistants shall be allowed if the minor's parent or guardian has given consent for the minor to participate in activities such as firearms or hunting safety courses, firearms competition or training. With the consent of the minor's parent or guardian, the temporary transfer of firearms and ammunition by an adult accompanying minors engaged in hunting or formal or informal target shooting activities shall be allowed for those purposes.

Section 13-3111. Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties; classification.

A. Except as provided in subsection B, an unemancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section does not apply to a person who is 14, 15, 16 or 17 years of age and who is any of the following:

1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting.
3. Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
4. Engaged in activities requiring the use of a firearm that are related to the production of crops, livestock, poultry, livestock products, poultry products, or ratites or in the production or storage of agricultural commodities.

C. If the minor is not exempt under subsection B and is in possession of a firearm, a peace officer shall seize the firearm at the time the violation occurs.

D. In addition to any other penalty provided by law, a person who violates subsection A shall be subject to the following penalties:

1. If adjudicated a delinquent juvenile for an offense involving an unloaded firearm, a fine of not more than \$250, and the court may order the suspension or revocation of the person's driver license until the person reaches 18 years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches 18 years of age.
2. If adjudicated a delinquent juvenile for an offense involving a loaded firearm, a fine of not more than \$500, and the court may order the suspension or revocation of the person's driver license until the person reaches 18 years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches 18 years of age.
3. If adjudicated a delinquent juvenile for an offense involving a loaded or unloaded firearm, if the person possessed the firearm while the person was the driver or an occupant of a motor vehicle, a fine of not more than \$500 and the court shall order the suspension or revocation of the person's driver license until the person reaches 18 years of age. If the person does not have a driver license at the time of adjudication, the court shall direct that the department of transportation not issue a driver license to the person until the person reaches 18 years of age. If the court finds that no other means of transportation is available, the driving privileges of the child may be restricted to travel between the child's home, school and place of employment during specified periods of time according to the child's school and employment schedule.

E. Firearms seized pursuant to subsection C shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or disposed of otherwise or the person is convicted. Upon adjudication or conviction of a person for a violation of this section, the court shall order the firearm forfeited. However, the law enforcement agency shall return the firearm to the lawful owner if the identity of that person is known.

F. If the court finds that the parent or guardian of a minor found responsible for violating this section knew or reasonably should have known of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this section or for any civil actual damages resulting from the unlawful use of the firearm by the minor.

G. This section is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this section may be prosecuted and adjudicated delinquent for any other criminal conduct involving the use or exhibition of the deadly weapon.

H. A person who violates subsection A is guilty of a class 6 felony.

Section 13-3112. Concealed weapons; qualification; application; permit to carry; civil penalty; report; applicability.

A. The department of public safety shall issue a permit to carry a concealed weapon to a person who is qualified under this section. The person shall carry the permit at all times when the person is in actual possession of the concealed weapon and is required by section 4-229 or 4-244 to carry the permit. If the person is in actual possession of the concealed weapon and is required by section 4-229 or 4-244 to carry the permit, the person shall present the permit for inspection to any law enforcement officer on request.

B. The permit of a person who is arrested or indicted for an offense that would make the person unqualified under section 13-3101, subsection A, paragraph 7 or this section shall be immediately suspended and seized. The permit of a person who becomes unqualified on conviction of that offense shall be revoked. The permit shall be restored on presentation of documentation from the court if the permittee is found not guilty or the charges are dismissed. The permit shall be restored on presentation of documentation from the county attorney that the charges against the permittee were dropped or dismissed.

C. A permittee who carries a concealed weapon, who is required by section 4-229 or 4-244 to carry a permit and who fails to present the permit for inspection on the request of a law enforcement officer commits a violation of this subsection and is subject to a civil penalty of not more than \$300. The department of public safety shall be notified of all violations of this subsection and shall immediately suspend the permit. A permittee shall not be convicted of a violation of this subsection if the permittee produces to the court a legible permit that is issued to the permittee and that was valid at the time the permittee failed to present the permit for inspection.

D. A law enforcement officer shall not confiscate or forfeit a weapon that is otherwise lawfully possessed by a permittee whose permit is suspended pursuant to subsection C of this section, except that a law enforcement officer may take temporary custody of a firearm during an investigatory stop of the permittee.

E. The department of public safety shall issue a permit to an applicant who meets all of the following conditions:

1. Is a resident of this state or a United States citizen.
2. Is 21 years of age or older or is at least 19 years of age and provides evidence of current military service or proof of honorable discharge or general discharge under honorable conditions from the United States armed forces, the United States armed forces reserve or a state national guard.
3. Is not under indictment for and has not been convicted in any jurisdiction of a felony unless that conviction has been expunged, set aside or vacated or the applicant's rights have been restored and the applicant is currently not a prohibited possessor under state or federal law.
4. Does not suffer from mental illness and has not been adjudicated mentally incompetent or committed to a mental institution.
5. Is not unlawfully present in the United States.
6. Has ever demonstrated competence with a firearm as prescribed by subsection N of this section and provides adequate documentation that the person has satisfactorily completed a training program or demonstrated competence with a firearm in any state or political subdivision in the United States. For the purposes of this paragraph, "adequate documentation" means:
 - (a) A current or expired permit issued by the department of public safety pursuant to this section.
 - (b) An original or copy of a certificate, card or document that shows the applicant has ever completed any course or class prescribed by subsection N of this section or an affidavit from the instructor, school, club or organization that conducted or taught the course or class attesting to the applicant's completion of the course or class.
 - (c) An original or a copy of a United States department of defense form 214 (DD-214) indicating an honorable discharge or general discharge under honorable conditions, a certificate of completion of basic training or any other document demonstrating proof of the applicant's current or former service in the United States armed forces as prescribed by subsection N, paragraph 5 of this section.
 - (d) An original or a copy of a concealed weapon, firearm or handgun permit or a license as prescribed by subsection N, paragraph 6 of this section.

F. The application shall be completed on a form prescribed by the department of public safety. The form shall not require the applicant to disclose the type of firearm for which a permit is sought. The applicant shall attest under penalty of perjury

that all of the statements made by the applicant are true, that the applicant has been furnished a copy of this chapter and chapter 4 of this title and that the applicant is knowledgeable about the provisions contained in those chapters. The applicant shall submit the application to the department with any documentation prescribed by subsection E of this section, 2 sets of fingerprints and a reasonable fee determined by the director of the department.

G. On receipt of a concealed weapon permit application, the department of public safety shall conduct a check of the applicant's criminal history record pursuant to section 41-1750. The department of public safety may exchange fingerprint card information with the federal bureau of investigation for federal criminal history record checks.

H. The department of public safety shall complete all of the required qualification checks within sixty days after receiving the application and shall issue a permit within fifteen working days after completing the qualification checks if the applicant meets all of the conditions specified in subsection E of this section. If a permit is denied, the department of public safety shall notify the applicant in writing within fifteen working days after completing all of the required qualification checks and shall state the reasons why the application was denied. On receipt of the notification of the denial, the applicant has twenty days to submit any additional documentation to the department. On receipt of the additional documentation, the department shall reconsider its decision and inform the applicant within 20 days of the result of the reconsideration. If denied, the applicant shall be informed that the applicant may request a hearing pursuant to title 41, chapter 6, article 10. For the purposes of this subsection, "receipt of the application" means the first day that the department has physical control of the application and that is presumed to be on the date of delivery as evidenced by proof of delivery by the United States postal service or a written receipt, which shall be provided by the department on receiving the applicant.

I. On issuance, a permit is valid for 5 years, except a permit that is held by a member of the United States armed forces, including a member of the Arizona national guard or a member of the reserves of any military establishment of the United States, who is on federal active duty and who is deployed overseas shall be extended until 90 days after the end of the member's overseas deployment.

J. The department of public safety shall maintain a computerized permit record system that is accessible to criminal justice agencies for the purpose of confirming the permit status of any person who is contacted by a law enforcement officer and who claims to hold a valid permit issued by this state. This information and any other records that are maintained regarding applicants, permit holders or instructors shall not be available to any other person or entity except on an order from a state or federal court. A criminal justice agency shall not use the computerized permit record system to conduct inquiries on whether a person is a concealed weapons permit holder unless the criminal justice agency has reasonable suspicion to believe the person is carrying a concealed weapon and the person is subject to a lawful criminal investigation, arrest, detention or an investigatory stop.

K. A permit issued pursuant to this section is renewable every 5 years. At least sixty days before the expiration date of a permit, the department of public safety shall send a renewal reminder notice and renewal application form to the permit holder. Before a permit may be renewed, a criminal history records check shall be conducted pursuant to section 41-1750 within sixty days after receipt of the application for renewal. For the purposes of permit renewal, the permit holder is not required to submit additional fingerprints.

L. Applications for renewal shall be accompanied by a fee determined by the director of the department of public safety.

M. The department of public safety shall suspend or revoke a permit issued under this section if the permit holder becomes ineligible pursuant to subsection E of this section. The department of public safety shall notify the permit holder in writing within fifteen working days after the revocation or suspension and shall state the reasons for the revocation or suspension.

N. An applicant shall demonstrate competence with a firearm through any of the following:

1. Completion of any firearms safety or training course or class that is available to the general public, that is offered by a law enforcement agency, a junior college, a college or a private or public institution, academy, organization or firearms training school and that is approved by the department of public safety or that uses instructors who are certified by the national rifle association.
2. Completion of any hunter education or hunter safety course approved by the Arizona game and fish department or a similar agency of another state.
3. Completion of any national rifle association firearms safety or training course.
4. Completion of any law enforcement firearms safety or training course or class that is offered for security guards, investigators, special deputies or other divisions or subdivisions of law enforcement or security enforcement and that is approved by the department of public safety.
5. Evidence of current military service or proof of honorable discharge or general discharge under honorable conditions from the United States armed forces.

6. A valid current or expired concealed weapon, firearm or handgun permit or license that is issued by another state or a political subdivision of another state and that has a training or testing requirement for initial issuance.

7. Completion of any governmental police agency firearms training course and qualification to carry a firearm in the course of normal police duties.

8. Completion of any other firearms safety or training course or class that is conducted by a department of public safety approved or national rifle association certified firearms instructor.

O. The department of public safety shall maintain information comparing the number of permits requested, the number of permits issued and the number of permits denied. The department shall annually electronically report this information to the governor and the legislature.

P. The director of the department of public safety shall adopt rules for the purpose of implementing and administering this section including fees relating to permits that are issued pursuant to this section.

Q. This state and any political subdivision of this state shall recognize a concealed weapon, firearm or handgun permit or license that is issued by another state or a political subdivision of another state if both:

1. The permit or license is recognized as valid in the issuing state.

2. The permit or license holder is all of the following:

(a) Legally present in this state.

(b) Not legally prohibited from possessing a firearm in this state.

R. For the purpose of establishing mutual permit or license recognition with other states, the department of public safety shall enter into a written agreement if another state requires a written agreement. The department of public safety shall submit an electronic report to the governor and the legislature each year that includes any changes that were made in the previous year to a written agreement with another state.

S. Notwithstanding the provisions of this section, a person with a concealed weapons permit from another state may not carry a concealed weapon in this state if the person is under 21 years of age or is under indictment for, or has been convicted of, a felony offense in any jurisdiction, unless that conviction is expunged, set aside or vacated or the person's rights have been restored and the person is currently not a prohibited possessor under state or federal law.

T. The department of public safety may issue certificates of firearms proficiency according to the Arizona peace officer standards and training board firearms qualification for the purposes of implementing the law enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States Code sections 926B and 926C). A law enforcement or prosecutorial agency shall issue to a qualified retired law enforcement officer who has honorably retired a photographic identification that states that the officer has honorably retired from the agency. A person who was a municipal, county or state prosecutor is deemed to meet the qualifications of 18 United States Code section 926C(c)(2). The chief law enforcement officer shall determine whether an officer has honorably retired and the determination is not subject to review. A law enforcement or prosecutorial agency has no obligation to revoke, alter or modify the honorable discharge photographic identification based on conduct that the agency becomes aware of or that occurs after the officer has separated from the agency. For the purposes of this subsection, "qualified retired law enforcement officer" has the same meaning prescribed in 18 United States Code section 926C.

Section 13-3113. Adjudicated delinquents; firearm possession; classification.

A person who was previously adjudicated delinquent for an offense that would be a felony if committed by an adult and who possesses, uses or carries a firearm within ten years from the date of his adjudication or his release or escape from custody is guilty of a class 5 felony for a first offense and a class 4 felony for a second or subsequent offense if the person was previously adjudicated for an offense that if committed as an adult would constitute:

1. Burglary in the first degree.

2. Burglary in the second degree.

3. Arson.

4. Any felony offense involving the use or threatening exhibition of a deadly weapon or dangerous instrument.

5. A serious offense as defined in section 13-706.

Section 13-3118. Possession, transfer or storage of firearms; restrictions prohibited; exceptions.

A. Except for the legislature, this state and any agency or political subdivision of this state shall not enact or implement any law, rule or ordinance relating to the possession, transfer or storage of firearms other than as provided in statute.

B. This section does not prohibit:

1. A state, county or municipal judicial department, law enforcement agency or prosecutorial agency from prohibiting a deadly weapon pursuant to section 13-3102, subsection A, paragraph 10.
2. A political subdivision of this state from enacting any rule or ordinance requiring a business that obtains a secondhand firearm by purchase, trade or consignment to retain the firearm for a period of not more than 10 days at its place of business or another storage location that is approved by the applicable law enforcement agency.

Chapter 36 – Family Offenses

Section 13-3602. Order of protection; procedure; contents; arrest for violation; penalty; protection order from another jurisdiction; definition.

G. If a court issues an order of protection, the court may do any of the following:

4. If the court finds that the defendant is a credible threat to the physical safety of the plaintiff or other specifically designated persons, prohibit the defendant from possessing or purchasing a firearm for the duration of the order. If the court prohibits the defendant from possessing a firearm, the court shall also order the defendant to transfer any firearm owned or possessed by the defendant immediately after service of the order to the appropriate law enforcement agency for the duration of the order. If the defendant does not immediately transfer the firearm, the defendant shall transfer the firearm within twenty-four hours after service of the order.

Section 13-3624. Emergency orders of protection.

D. An emergency order of protection may include any of the following:

4. If the court finds that the defendant may inflict bodily injury or death on the plaintiff, the defendant may be prohibited from possessing or purchasing a firearm for the duration of the order.

Title 44 – Trade and Commerce

Chapter 36 – Private Firearm Transactions

Article 1 – General Provisions

Section 44-7851. Definitions.

In this chapter, unless the context otherwise requires:

1. **"Firearm"** means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel or that is designed to or may readily be converted to expel a solid projectile by the action of expanding gases.
2. **"Private party"** means a person who is not a prohibited possessor under state or federal law and does not include a person who possesses a federal firearms license and who primarily engages in the business of selling, trading or purchasing firearms.
3. **"Transfer"** means when a person gives, loans, offers for sale, wills or in any manner offers another person a firearm for any lawful purpose and the person is not a prohibited possessor under state or federal law.

Section 44-7852. Private party firearms transfer; state or political subdivision encumbrance prohibited.

This state or any political subdivision of this state may not enact or implement any additional fee, tax, assessment, lien or other encumbrance on the transfer of a firearm between two private parties who are not prohibited possessors under state or federal law.

Apache Junction Code of Ordinances

Current through Ordinance 1522, passed February 15, 2022.

Chapter 10 – Offenses

Article 10-3 – Unlawful Possession of Firearms by Minor

Section 10-3-1. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Firearm. Any loaded or unloaded pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or expanding gases, except that it does not include an air rifle, air pistol, B.B. gun or firearm in permanently inoperable condition.

Minor. A person who is under the age of 18 years.

Written Consent. Written approval or permission to possess a firearm, which is on a form prescribed by the Police Department, signed by the child's parent or legal guardian, and notarized, and which specifically describes the firearm as follows:

- (1) Type;
- (2) Manufacturer;
- (3) Caliber; and
- (4) Serial number.

Section 10-3-2. Unlawful possession of firearm.

It is unlawful for a minor to possess any firearm within the city limits without the written consent of the minor's parent or legal guardian.

Section 10-3-3. Possession of consent form; keeping of records.

(A) The original written consent form shall be carried by the minor any time the minor is in possession of a firearm outside the minor's residence.

Buckeye Code of Ordinances

Current through Ordinance 26-22 enacted September 6, 2022.

Chapter 7 – Development Code

Article 3 – Use Regulations

Bullhead City Code of Ordinances

Current through Ordinance 2022-24, passed July 5, 2022.

Title 5 – Business Taxes, Licenses and Regulations

Chapter 5.21 – Secondhand Dealers

Section 5.21.010. Definitions.

As used in this chapter, the following terms are defined in this section:

"Firearm(s)" means any handgun, pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, except that it does not include a firearm in permanently inoperable condition. Reference A.R.S. Section 13-1705(17).

"Secondhand dealer" means a person or enterprise who keeps a place of business where used or secondhand goods, wares or merchandise consisting of either tools, precious item(s), firearms and/or electronic items are purchased, received on deposit for consignment, trade, store credit or exchange from private adult individuals that deliver the items to the dealer for the purpose of reselling the goods, wares or merchandise to the general public for profit.

Section 5.21.030. Buy tickets, Requirements.

A. All secondhand transactions that occur on the premises of a secondhand dealer involving electronics, video/computer type games, firearms, precious items and tools shall be evidenced by a buy ticket that is issued at the time of the transaction.

B. A buy ticket shall include, at a minimum, all of the following:

1. The name, address and telephone number of the secondhand dealer;
2. The birth date and physical description of the seller, including height, weight and hair and eye color;
3. The number and type of the identification document presented by the seller;
4. A listing of the articles purchased by the secondhand dealer;
5. The date of the transaction;
6. The principal amount of the transaction.

Section 5.21.060. Paperwork for off-premises transactions.

A. When a secondhand dealer purchases, receives on deposit for consignment, trade, exchange, or store credit; electronic items, firearms, precious item and/or tools from private individuals not on the premises of the secondhand dealer, the secondhand dealer shall maintain sufficient paperwork so that the address or location of the seller or consignor of the item(s) is accurately recorded on the paperwork, and the paperwork is retained on the premises of the business for police inspection purposes for two years from the date of the transaction. This paperwork is to be filed chronologically.

Section 5.21.080. Business license fees for secondhand dealers.

A. Notwithstanding any language to the contrary in Chapter 5.04 of this code, any person, who applies for a new secondhand business license or renewal of a current business license from the city for the purpose of engaging in the business of secondhand dealer, shall be required to pay an annual business license fee to the city in the amount as set forth in the comprehensive fee schedule per year, for each license issued. The fee authorized by this section shall be imposed and collected by the city as an annual fee for any new or renewed secondhand license issued to a secondhand dealer following the effective date of the ordinance codified in this chapter. Secondhand dealers that do not purchase electronic items, firearms, precious items or tools from private individuals at their premises are only required to have a standard city business license.

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.20 – Weapons and Explosives**

Section 9.20.020. Minors prohibited, Exceptions, Seizure and forfeiture, Penalties.

A. Except as provided in subsection B of this section, an unemancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian shall not knowingly carry or possess on his person within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section does not apply to a person who is fourteen, fifteen, sixteen or seventeen years of age and is any of the following:

1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited;
2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting;
3. Engaged in lawful transportation of an unloaded firearm between the hours of five a.m. and ten p.m. for the purpose of shooting events or marksmanship practice at established ranges or other area where the discharge of a firearm is not prohibited.

C. If the minor is not exempt under subsection B of this section and is in possession of a firearm, a peace officer may seize the firearm and hold it until the agency returns the firearm to the parent or guardian or initiates forfeiture proceedings pursuant to Arizona Revised Statutes, Chapter 39 of Title 13.

D. A person who violates subsection A of this section is an incorrigible child and shall be subject to the following penalties:

1. For an offense involving an unloaded firearm, a fine of not more than two hundred fifty dollars and the court may order the suspension or revocation of the person's driver license;
2. For an offense involving a loaded firearm, a fine of not more than five hundred dollars and the court may order the suspension or revocation of the person's driver's license.

E. If the firearm is not returned to the parent or guardian pursuant to subsection C of this section it shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or otherwise disposed of and until the conclusion of any forfeiture proceedings. Upon adjudication of a person for a violation of this section, the court in accordance with Arizona Revised Statutes Chapter 39, Title 13 shall order the firearm forfeited and sold, destroyed or disposed of otherwise.

F. If the court finds that the parent or guardian of a minor found responsible for violating this section knew of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this section.

G. This section is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this section may be prosecuted and convicted for any other criminal conduct involving the use or exhibition of the deadly weapon.

Casa Grande Code of Ordinances
Current through Ordinance 1397.17.59, passed July 5, 2022.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.20 – Weapons and Explosives

Section 9.20.070. Sale of weapons to minors unlawful when.

A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Section 9.20.090. Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties.

A. Except as provided in subsection (B) of this section, an unemancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section does not apply to a person who is fourteen, fifteen, sixteen or seventeen years of age and is any of the following:

1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited;
2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting;
3. Engaged in lawful transportation of an unloaded firearm between the hours of five a.m. and ten p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

C. If the minor is not exempt under subsection (B) of this section and is in possession of a firearm, a peace officer shall seize the firearm at the time the violation occurs.

D. A person who violates subsection (A) of this section is a delinquent child and shall be subject to the following penalties:

1. For an offense involving an unloaded firearm, a fine of not more than two hundred fifty dollars, and the court may order the suspension or revocation of the person's driver's license until the person reaches eighteen years of age. If the person does not have a driver's license at the time of the adjudication, the court may direct that the department of transportation not issue a driver's license to the person until the person reaches eighteen years of age.
2. For an offense involving a loaded firearm, a fine of not more than five hundred dollars, and the court may order the suspension or revocation of the person's driver's license until the person reaches eighteen years of age. If the person does not have a driver's license at the time of the adjudication, the court may direct that the department of transportation not issue a driver's license to the person until the person reaches eighteen years of age.
3. For an offense involving a loaded or unloaded firearm, if the person possessed the firearm while the person was the driver or an occupant of a motor vehicle, a fine of not more than five hundred dollars and the court shall order the suspension or revocation of the person's driver's license until the person reaches eighteen years of age. If the person does not have a driver's license at the time of adjudication, the court shall direct that the department of transportation not issue a driver's license to the person until the person reaches eighteen years of age. If the court finds that no other means of transportation is available, the driving privileges of the child may be restricted to travel between the child's home, school and place of employment during specified periods of time according to the child's school and employment schedule.

E. A violation of this section shall be charged, heard and disposed of pursuant to A.R.S. Section 8-232.

F. Firearms seized pursuant to subsection (C) of this section shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or disposed of otherwise. Upon adjudication of a person for a violation of this section, the court shall order the firearm forfeited. However, the law enforcement agency shall return the firearm to the lawful owner if the identity of that person is known.

G. If the court finds that the parent or guardian of a minor found responsible for violating this section knew or reasonably should have known of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this section or for any civil actual damages resulting from the unlawful use of the firearm by the minor.

H. This section is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this section may be prosecuted and convicted for any other criminal conduct involving the use or exhibition of the deadly weapon.

Chandler Code of Ordinances

Current through Ordinance 5020, adopted July 11, 2022. (Supplement 69, update 1)

Part VI – Planning

Chapter 35 – Land Use and Zoning

Article XXI – Table of Permitted Uses for Nonresidential Districts

Section 35-2100. Purpose.

The following tables indicate uses permitted by zoning districts with an "X" and use permits with an "UP."

Table of Permitted Uses for Nonresidential Districts

Uses	Districts				
	C-1	C-2	C-3	I-1	I-2
Repair shop for repairs or adjustments to ..., guns and similar items conducted wholly within a building with no outside storage of materials or equipment	X	X	X		
Retail stores selling or renting goods predominantly at retail on the premises, including but not limited to the following: (see footnote #2 at end of table)					
1) Hardware, paint, wallpaper, fabrics, supplies, curtains, linens, knitting supplies, china, glass, pottery, firearms	X	X	X		

Eagar Code of Ordinances

Current through Ordinance 2022-01, enacted March 1, 2022. (Supplement 29, update 1)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.24 – Weapons

Section 9.24.010. Prohibitions.

B. Possession and Sale of Weapons to Minors. A person who sells or gives to a minor without consent of the minor's parent or legal guardian a dirk, ... or any gun or instrument as described in Section 9.24.010(A)(1) is guilty of a misdemeanor.

C. Upon the conviction of any person for the violation of any part of this section, the town magistrate may order the forfeiture of the gun or instrument involved in the offense.

Elroy Code of Ordinances

Current through Ordinance 18-883, passed December 10, 2018.

Chapter 13 – Offenses and Miscellaneous Law Enforcement Provisions

Section 13-26.6. Sale of weapons to minors unlawful when.

A person who sells or gives to a minor under the age of eighteen (18) years, without written consent of the minor's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a class 2 misdemeanor.

Section 13-26.8. Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties.

A. Except as provided in subsection B of this section, an unemancipated person who is under eighteen (18) years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section does not apply to a person who is fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and is any of the following:

1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited;
2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting;
3. Engaged in lawful transportation of an unloaded firearm between the hours of five o'clock (5:00) A.M. and ten o'clock (10:00) P.M. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

Gila Bend Code of Ordinances

Current through Ordinance 21-05, passed July 13, 2021.

Title XIII – General Offenses Chapter 132 – Weapons and Explosives

Section 132.03. Weapons.

(E) It is unlawful for any person to sell or give to a person under the age of 18 years, without written consent of the person's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged.

Glendale Code of Ordinances

Current through Resolution 022-56, adopted August 23, 2022,. (Supplement 101)

Chapter 21 – Licenses, Taxation and Miscellaneous Business Regulations Article I – Special Regulatory Licenses Division 3 – Miscellaneous Business Regulations

Section 21-44. Prohibited sales.

No person who is required to obtain a special regulatory license shall at any time display, sell, trade or otherwise distribute any of the following items within the city:

- (3) Starter or blank guns;

Chapter 26 – Offenses, Miscellaneous Article III – Offenses Against Public Safety and Order Division 2 – Firearms/Weapons

Section 26-57. Possession of firearms by minors; exceptions.

(a) For the purposes of this section:

(1) "Firearm" means any loaded or unloaded pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or expanding gases, except that it does not include an air rifle, air pistol, BB gun, or a firearm in permanently inoperable condition.

(2) "Minor" means a person who is under the age of eighteen (18) years.

(b) It shall be unlawful for a minor within the City of Glendale who is not accompanied by a parent, grandparent or guardian, or certified hunter safety instructor or certified firearms safety instructor acting with the consent of the minor's parent, grandparent or guardian, to knowingly possess or carry on the minor's person, within the minor's immediate control or in or on a means of transportation any firearm in any place that is open to the public or on any street or highway or on any private property except private property that is owned or leased by the minor or the minor's parent, grandparent or guardian. However, this section shall not apply to a minor fourteen (14) years of age or older who is engaged in any of the following activities:

(1) Lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(2) Lawful transportation of an unloaded firearm for the purpose of lawful hunting.

(3) Lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(4) Any activity that is related to the production of crops, livestock, poultry, livestock products, poultry products or ratites or storage of agricultural commodities.

(c) Any firearm possessed by a minor in violation of this section shall be subject to forfeiture in the same manner as authorized by Arizona Revised Statutes, title 13, chapter 39.

Hayden Code of Ordinances

Current through Ordinance 132A, passed August 6, 2012. (Supplement 3, 6-13)

Title 9 – Public Peace, Morals and Welfare

Chapter 19.6 – Weapons

Section 9.16.010. General.

F. It is unlawful for any person to sell or give to a minor under the age of eighteen (18) years, without written consent of the minor's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged.

Huachuca City Code of Ordinances

Current through Ordinance 21-02, and passed April 8, 2021.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.20 – Minors Prohibited from Carrying or Possession Firearms – Exceptions – Seizure and Forfeiture – Penalties

Section 9.20.010. Definitions.

Except as provided in Section 9.20.020, an unemancipated person who is under 18 years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting within the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public, on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

Section 9.20.020. Exceptions.

This chapter does not apply to a person who is 14, 15, 16 or 17 years of age and is any of the following:

A. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

B. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting.

C. Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

Title 18. Zoning

Chapter 18.100 – Supplemental Regulations

Section 18.100.210. Home occupations.

C. Prohibited Home Occupation Uses.

1. The operation of a weapons merchant is strictly prohibited as a home based business. This includes the sale, mail order, trade, manufacture, display, storage, or repair of any sort of weapon, ammunition, explosive device and/or material including all weapons prohibited under ARS Section 13-3101.

Kingman Code of Ordinances

Current through Ordinance Number 1944, passed June 21, 2022.

Chapter 8 – Taxes and Licenses

Article IV – Business Licenses

Section 8-133. Special requirements relating to swap meets.

(d) Swap meet vendor responsibility. It shall be a violation of this Code for a swap meet vendor to fail to comply with the following requirements:

(6) A swap meet vendor shall comply with federal firearms licensing regulations to display or offer for sale any firearm as defined in the Arizona Revised Statutes.

Mesa Code of Ordinances

Current through Ordinance 5726, adopted September 12, 2022. (Supplement 9)

Title 6 – Police Regulations

Chapter 1 – General Offenses

Section 6-1-20. Unlawful possession of firearms by minor.

(A) Definitions.

Firearm: Any loaded or unloaded pistol, revolver, rifle, shotgun, or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or expanding gases; except that it does not include an air rifle, air pistol, BB gun, or firearm in permanently inoperable condition.

Minor: A person who is under the age of eighteen (18) years.

Written Consent: Written approval or permission to possess a firearm which is on a form prescribed by the Police Department, signed by the child's parent or legal guardian and notarized, which specifically describes the firearm by (a) type, (b) manufacturer, (c) caliber, and (d) serial number.

(B) Unlawful Possession of Firearm. It shall be unlawful for a minor to possess any firearm within the City limits without written consent of the minor's parent or legal guardian.

Oro Valley Code of Ordinances

Current through Ordinance (O) 22-09, passed October 5, 2022.

Chapter 10 – Offenses

Article 10-1 – Miscellaneous Offenses

Section 10-1-28. Weapons Near A School Prohibited.

It shall be unlawful for anyone to carry or otherwise possess any weapon as defined in the state statutes or Town Code within 250 feet of any school or school grounds, public or private, such weapon is located within a private residence already located within 250 feet of any school or school grounds, and is possessed by the authorized owner/occupant. This provision also shall not apply to areas such as a park where state law provisions regarding firearms take precedence if a such a Park is within 250 feet of a school. However, the person possessing such a firearm in such an area must comply with the current state law or this Code shall take effect. This provision shall apply whether the school is in session at the time or not. This provision shall not apply to any items being transported past the school, and intended for immediate use for sporting or other recreational activities; to any duly qualified peace officer, or any Town or school personnel for which the weapon is reasonably classified as a "tool" for the scope of their duties.

Payson Code of Ordinances
Current through October 10, 2022.

Title XV – Land Usage
Chapter 154 – Unified Development Code

Section 154-12-002. Table of commercial district uses.

Use Description	District		
	C-1	C-2	C-3
P = Permitted Use N = Use Not Permitted C = Conditional Use Permit			
Uses Involving Flammable or Explosive Materials			
Uses involving flammable or explosive materials; ..., gun shops, and similar uses as determined by the Zoning Administrator with potential flammable or explosive hazards are required to obtain an approved conditional use permit if dwelling units, with no intervening structures, are within 150' of the intended use area. Notice of the proposed use shall be given as provided for conditional use permits.	C	C	C
Uses involving flammable or explosive materials; ..., gun shops, and similar uses with potential flammable or explosive hazards are allowed, when requirements determined by the Fire Department are met and dwelling units are not within 150' of the intended use area or if dwelling units are within 150' but there are intervening structures between the dwelling units and the intended use area. Notice of the proposed use shall be given as provided for conditional use permits.	P	P	P

Peoria Code of Ordinances
Current through Ordinance 2022-20, adopted October 11, 2022. (Supplement 14)

Title 9 – Public Peace, Morals and Welfare
Chapter 19.6 – Weapons

Section 13-76. Possession of firearms by minors; exceptions.

(a) For the purpose of this section:

(1) **"Firearm"** means any loaded or unloaded pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or expanding gases, except that it does not include an air rifle, air pistol, bb gun, or a firearm in permanently inoperable condition.

(2) **"Minor"** means a person who is under the age of eighteen (18) years.

(3) **"Written consent"** means written approval or permission to possess a firearm, which is on a form prescribed by the Peoria police department, signed by the minor's parent or legal guardian and notarized, and which specifically describes the firearm as follows:

- (a) Type;
- (b) Manufacturer;
- (c) Caliber; and
- (d) Serial number.

(b) A form prescribed by any other political subdivision in this state having an ordinance, regulation or provision requiring the same information to be contained on the form as required by this section or a written document containing the same information as required by this section and sworn to before a notary public shall constitute a written consent. Notwithstanding this section, a minor possessing a firearm in the presence of the minor's parent or legal guardian shall be presumed to have the consent of the parent or legal guardian to possess the firearm.

(c) It shall be unlawful for a minor to knowingly possess any firearm, ammunition or toy pistol by which dangerous and explosive substances may be discharged within the City without the written consent of the minor's parent or legal guardian. The original written consent form shall be carried by the minor any time the minor is in possession of a firearm, ammunition or toy pistol by which dangerous and explosive substances may be discharged outside the minor's residence. Notwithstanding the foregoing, written consent is not required by a minor while the minor is in the immediate presence of and under the direct supervision of the minor's parent or legal guardian.

(d) Any firearm, ammunition or toy pistol by which dangerous and explosive substances may be discharged possessed by a minor in violation of this section shall be subject to forfeiture in the same manner as authorized by A.R.S. Title 13, Chapter 39.

(e) The police department shall not maintain a file or register of executed written consent forms.

(f) Nothing in this section shall be construed to require registration or licensing of firearms in possession of minors.

(g) It is unlawful for any parent or legal guardian of the minor to knowingly allow or permit such minor to have a firearm, ammunition or toy pistol by which dangerous and explosive substances may be discharged, in violation of the provisions of the section.

Phoenix Code of Ordinances

Current through Ordinance G-7028, passed November 7, 2022

Chapter 22 – Minors

Section 22-8. Minors prohibited from carrying or possessing firearms; exceptions; classification.

A. A minor shall not knowingly possess or carry on the minor's person, within the minor's immediate control or in or on a means of transportation, a firearm in any place that is open to the public, on any street or highway or on any private property except private property that is owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section shall not apply to a minor:

1. Who is accompanied by a parent, grandparent or guardian or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the minor's parent, grandparent or guardian.
2. Who is fourteen, fifteen, sixteen or seventeen years of age and who is engaged in any of the following:
 - a. Lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
 - b. Lawful transportation of an unloaded firearm for the purpose of lawful hunting.
 - c. Lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
 - d. Any activity that is related to the production of crops, livestock, poultry, livestock products, poultry products or ratites or storage of agricultural commodities.

Phoenix Zoning Ordinance

Current through Ordinance G-7028, passed November 7, 2022

Chapter 2 – Rules of Construction and Definitions

Section 202. Definitions.

Ammunition, Commercial Loading: The assembly of component parts consisting of a tubular case, a bullet or shotgun pellets, propellant powder and a primer or percussion cap for use as a cartridge in rifles and handguns or in shotguns. Commercial loading may also include the custom modification of cases or the making of non-exploding bullets used in the ammunition loading process but shall not include the manufacturing of primers, percussion caps or propellant powders. Propellant powders shall include smokeless powder, synthetic black powder, and black powder.

Ammunition, Military: Ammunition including bursting charges or incendiary, tracer, spotting, or pyrotechnic projectiles.

Ammunition, Small Arms: Ammunition used in rifles and handguns no larger than 45 caliber in size or in shotguns no larger than 10 gauge in size.

Ammunition, Specialty or Custom: Ammunition used in rifles and handguns larger than 45 caliber in size or in shotguns larger than 10 gauge in size.

Chapter 6 – Zoning Districts

Section 623. Commercial C-2 District - Intermediate Commercial.

D. Permitted Uses.

83. Guns, Retail Sales and/or Repairs, subject to the following limitations:

a. Commercial loading of small arms ammunition for on-site retail sale shall be permitted as an accessory use upon compliance with the following conditions:

(1) A maximum of five thousand (5,000) cartridges loaded per day.

(2) Ammunition loading and component storage activity shall not occupy more than two hundred (200) square feet, or 10 percent (10%) of the gross building area, whichever is less.

b. Commercial loading of small arms ammunition for on-site retail sale in excess of the standards listed in subsection 1 above shall be permitted subject to the following limitations:

(1) A maximum of ten thousand (10,000) cartridges loaded per day,

(2) Ammunition loading and component storage activity shall not occupy more than five hundred (500) square feet, or 25 percent (25%) of the gross building area, whichever is less, and

(3) A use permit shall be obtained subject to the provisions of Section 307

c. The quantities, arrangement, distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code.

d. A permit to load ammunition shall be obtained from the Fire Department.

e. In addition to applicable requirements listed in subsections 1-4 above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provisions of Section 307.

Section 624. Commercial C-3 District, General Commercial.

D. Permitted Uses.

3. Ammunition, commercial loading of small arms subject to the following limitations:

a. The quantities, arrangement, and distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code.

b. A permit to load ammunition shall be obtained from the Fire Department.

c. A use permit shall be obtained subject to the provisions of Section 307

d. In addition to the requirements of subsections 1-3 above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provisions of Section 307.

Section 626. Commerce Park District.

C. Single User Option.

2. Permitted uses. Within the Single User option no building, structure, or use shall be made of land or any purposes other than any one of the following, provided that any such use shall meet the standards as set forth in this section:

e. Ammunition, commercial loading of small arms subject to the following limitations:

(1) The quantities, arrangement, and distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code.

(2) A permit to load ammunition shall be obtained from the Fire Department.

(3) In addition to the requirements of subsections 1 and 2 above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provisions of Section 307.

Section 627. A-1 Light Industrial District.

D. Permitted Uses.

9. Ammunition, commercial loading of small arms subject to the following limitations

a. The quantities, arrangement, and distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code.

b. A permit to load ammunition shall be obtained from the Fire Department.

c. In addition to the requirements of subsections 1 and 2 above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provision of Section 307.

Section 642. Urban Residential (UR) District.

C. Permitted Uses.

2. Accessory use.

a. Neighborhood commercial uses:

(34) Sporting goods store, sale of guns as an accessory use only to the sporting goods store, new and used.

Permitted Use Table												
Nonresidential - Base Zoning Districts												
Specific Use	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT	IL	IG	Use Standards
Retail, Service and Business Use Categories (See Sec. 11.1.5)												
Firearms Dealers, Arms Only						P	P	P	P	P	P	--

Salt River Pima-Maricopa Indian Community Code of Ordinances
 Current through Ordinance SRO-499-2018, adopted January 10, 2018. (Supplement 2)

Chapter 6 – Criminal Code
Article VII – Weapons and Explosives

Section 6-150. Misconduct involving weapons; definitions.

Definitions. The following words, terms, and phrases, when used in sections 6-151 and 6-152 shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ammunition means cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

Armor piercing ammunition means:

- (1) A projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or
- (2) A full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

Deadly weapon means anything that is designed for lethal use. The term includes a firearm.

Deface means to remove, alter, or destroy the manufacturer's serial number.

Destructive device means:

- (1) Any explosive, incendiary, or poison gas;
- (2) Bomb;
- (3) Grenade;
- (4) Rocket having a propellant charge of more than four ounces;
- (5) Missile having an explosive or incendiary charge of more than one-quarter ounce;
- (6) Mine;
- (7) Any device similar to any of the devices described in the preceding clauses;
- (8) Any type of weapon by whatever name known that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which as any barrel with a bore of more than one-half inch in diameter; or
- (9) Any combination of parts either designed or intended for use in converting any device into any destructive device described in subsection (1) or (2) of this definition and from which a destructive device may be readily assembled.

The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; or any other device that is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

Explosive means any dynamite, nitroglycerine, black powder, or other similar explosive material, including plastic explosives. "Explosive" does not include ammunition or ammunition components such as primers, percussion caps, smokeless powder, black powder and black powder substitutes used for hand loading purposes.

Firearm means:

- (1) Any weapon (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive but does not include an antique firearm or any device that expels a projectile by means of compressed air;
- (2) The frame or receiver of any such weapon;

(3) Any firearm muffler or firearm silencer; or

(4) Any destructive device. Such term does not include an antique firearm.

Improvised explosive device means a device that incorporates explosives or destructive, lethal, noxious, pyrotechnic or incendiary chemicals, and that is designed to destroy, disfigure, terrify or harass.

Prohibited possessor means any person:

(1) Who has been found to constitute a danger to self or to others or to be persistently or acutely disabled or gravely disabled, or who has been adjudicated as a mental defective, or who has been committed to a mental institution, and whose right to possess a firearm has not been restored pursuant to applicable tribal, state, or federal law;

(2) Who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(3) Who is a fugitive from justice;

(4) Who is at the time of possession serving a term of imprisonment in any correctional or detention facility;

(5) Who is at the time of possession serving a term of parole or probation resulting from a conviction in any jurisdiction;

(6) Who has been discharged from the armed forces under dishonorable conditions;

(7) Who has been convicted in any tribal, state, or federal court of any crime of domestic violence;

(8) Who is subject to a court order that:

a. Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

b. Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

c. Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

d. By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

Prohibited weapon includes the following:

(1) A firearm that is defaced;

(2) Armor-piercing ammunition;

(3) An item that is a bomb, grenade, rocket having a propellant charge of more than four ounces or mine and that is explosive, incendiary or poison gas;

(4) A firearm muffler, firearm silencer, or any device that is designed, made, or adapted to muffle the report of a firearm;

(5) A firearm that is capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger;

(6) A short-barreled shotgun, a short-barreled rifle, or rifle with a barrel length of less than 16 inches, or shotgun with a barrel length of less than 18 inches, or any firearm that is made from a rifle or shotgun and that, as modified, has an overall length of less than 26 inches;

(7) An instrument, including a nunchaku, that consists of two or more sticks, clubs, bars or rods to be used as handles, connected by a rope, cord, wire or chain, in the design of a weapon used in connection with the practice of a system of self-defense;

(8) A breakable container that contains a flammable liquid with a flash point of 150 degrees Fahrenheit or less and that has a wick or similar device capable of being ignited;

(9) A chemical or combination of chemicals, compounds or materials, including dry ice, that is possessed or manufactured for the purpose of generating a gas to cause a mechanical failure, rupture or bursting or an explosion or detonation of the chemical or combination of chemicals, compounds or materials;

(10) An improvised explosive device; or

(11) Any combination of parts or materials that is designed and intended for use in making or converting a device into an item set forth in subsection (1), (6) or (8) of this definition.

(12) The term "prohibited weapon" does not include the following:

- a.** Any fireworks that are imported, distributed or used in compliance with tribal, state, or local ordinances;
- b.** Any propellant, propellant-actuated devices or propellant-actuated industrial tools that are manufactured, imported or distributed for their intended purposes; or
- c.** A device that is commercially manufactured primarily for the purpose of illumination.

Rifle means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.

Short-barreled rifle means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than 26 inches.

Short-barreled shotgun means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than 26 inches.

Shotgun means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

Trafficking means to sell, transfer, distribute, dispense or otherwise dispose of a weapon or explosive to another person, or to buy, receive, possess or obtain control of a weapon or explosive, with the intent to sell, transfer, distribute, dispense or otherwise dispose of the weapon or explosive to another person.

Section 6-151. Misconduct involving weapons; permits.

A permit issued by the Salt River Police Department is required to possess a firearm or ammunition in the Community. The Salt River Police Department may issue a permit authorizing possession by persons within the Salt River Pima-Maricopa Indian Community of non-prohibited weapons, and weapons for which a certificate of inoperability has been issued.

(1) Conditions on permit. Application for a permit shall be conditioned on the applicant's acceptance of the jurisdiction of the Salt River Pima-Maricopa Indian Community in any civil action for damages resulting from the possession or operation of the weapon by the applicant.

(2) Limitations on permit. Without exception, prohibited possessors are not eligible to apply for or be issued permits to possess firearms or ammunition within the Salt River Pima-Maricopa Indian Community.

(3) Regulation of permits. The Salt River Police Department shall regulate the application and approval process for firearms and weapons permits using policies and procedures approved by the Salt River Pima-Maricopa Indian Community Tribal Council. Such regulation shall incorporate the prohibitions included in this section.

Section 6-152. Misconduct involving weapons; offenses.

(a) Possession without a permit. It shall be unlawful for any person to operate, possess, receive, transport, or ship any firearm or ammunition within the Salt River Pima-Maricopa Indian Community unless such person has obtained a permit from the Salt River Police Department. Possession without a permit is a class B offense.

(b) Possession by minors. It shall be unlawful for any person under the age of 18 years to operate, possess, receive, transport, or ship any firearm, or ammunition within the Salt River Pima-Maricopa Indian Community, unless such minor is under direct supervision of a parent or legal guardian, and such legal guardian has a lawful permit. Possession by minors is a class B offense.

(d) Possession of prohibited weapon. It shall be unlawful for any person to operate, possess, receive, transport, or ship any prohibited weapon unless such weapon has been rendered permanently inoperable and such inoperability has been certified by the Salt River Police Department. Possession of prohibited weapon is a class A offense.

(e) Possession by a prohibited possessor. It shall be unlawful for any prohibited possessor to operate, possess, receive, transport, or ship any firearm or ammunition within the Salt River Pima-Maricopa Indian Community. Possession by a prohibited possessor is a class A offense.

(f) Prohibited trafficking of a firearm.

(1) It shall be unlawful for any person to engage in trafficking of any prohibited weapon.

(2) It shall be unlawful for any person to engage in trafficking of any firearm with any person who has not been lawfully issued a permit by the Salt River Police Department.

(3) Prohibited trafficking of a firearm as described in subsections (1) and (2) above is a class B offense.

(g) Forfeiture of weapon. Any person convicted of a violation of this section shall forfeit all firearms, ammunition, and weapons seized pursuant to the investigation. Such forfeiture shall not be limited only to the specific firearm, ammunition, or weapon in the count specific to any conviction, but shall include all firearms, ammunition, and weapons lawfully seized.

(h) Law enforcement exception. This section shall not apply to police officers acting in the lawful performance of their official duties.

Chapter 10 – Domestic Relations
Article VII – Domestic Violence

Section 10.252. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Firearm means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of expanding gases, but does not include a firearm in permanently inoperable condition.

Order of protection means a court order granted for the protection of victims of domestic violence.

Section 10.256. Orders of protection.

(c) Mandatory contents of orders of protection. Orders of protection shall include the following:

(9) Restraining respondent from receiving, possessing or transporting a firearm or ammunition within the Community;

San Luis Code of Ordinances

Current through Ordinance 426, passed June 8, 2022.

Title XIII – General Offenses

Chapter 130 – Firearms

Section 130.01. Minors prohibited from carrying or possessing firearms.

Except as provided in § 130.02 of this chapter, an unemancipated person who is under 18 years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter, safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian shall not knowingly carry or possess on his or her person, within his or her immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

Section 130.02. Exceptions.

This chapter does not apply to a person who is 14, 15, 16 or 17 years of age and is any of the following:

(A) Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited;

(B) Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting; or

(C) Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

Scottsdale Code of Ordinances

Current through Ordinance 4552, effective July 7, 2022. (Supplement 79, Update 2)

Chapter 19 – Offenses, Miscellaneous

Article I – In General

Section 19-18. Possession of firearms by minors.

(a) For the purposes of this section:

(1) **Minor** means a person who is under the age of eighteen (18) years.

(2) **Firearm** means any loaded or unloaded pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of explosive or expanding gases, except that it does not include an air rifle, air pistol, BB gun or a firearm in permanently inoperable condition.

(3) Written consent means written approval or permission to possess a firearm, which is on a form prescribed by the police department, signed by the child's parent or legal guardian and notarized, and which specifically describes the type, manufacture, caliber and serial number of the firearm.

(b) It shall be unlawful for a minor to possess any firearm within the city without the written consent of the child's parent or legal guardian. The original written consent form shall be carried by the minor any time the minor is in possession of a firearm outside the minor's residence. Notwithstanding the foregoing, written consent is not required for possession of a firearm by a minor while in the presence of and under the supervision of the minor's parent or guardian.

**Appendix B – Basic Zoning Ordinance
Article XI – Land Use Tables**

Section 11.201. Use regulations.

A. Permitted uses . The uses allowed in certain zoning districts are shown in Table 11.201.A., subject to the limitations as listed. Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered, or enlarged only for uses noted.

Table 11.201.A. Land Use Table

Land Uses	Zoning Districts - Permitted (P) or Conditional Use (CU)														
	S-R	C-S	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Gun Shop				P	P										

Sierra Vista Code of Ordinances
Current through Ordinance 2022-003, August 11, 2022.

**Title XIII – General Offenses
Chapter 131 – Juvenile Offenses**

Section 131.02. Juvenile gun law.

(A) Except as provided in division (B) of this section, an unemancipated person who is under 18 years of age and who is unaccompanied by a parent, grandparent, or guardian, or a certified hunter safety instructor or certified firearms safety instructor, acting with the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his or her person, within his or her immediate control, or in or on a means of transportation, a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent, or guardian.

(B) This section does not apply to a person who is 14, 15, 16 or 17 years of age and is any of the following:

- (1)** Engaged in lawful hunting or shooting events or marksmanship practice at established ranges where the discharge of a firearm is not prohibited.
- (2)** Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting.
- (3)** Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(C) If the minor is not exempt under division (B) of this section and is in possession of a firearm, a peace officer may seize the firearm and hold it until the agency returns the firearm to a parent or guardian or initiates forfeiture proceedings pursuant to A.R.S. Chapter 39 of Title 13.

(D) If the firearm is not returned to the parent or guardian pursuant to division (C) of this section, it shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or otherwise disposed of and until the conclusion of any forfeiture proceedings. Upon adjudication of a person for a violation of this section, the court in accordance with A.R.S. Title 13, Chapter 39 shall order the firearm forfeited and sold, destroyed, or disposed of otherwise.

(E) If the court finds that the parent or guardian of a minor found responsible for violating this section knew of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this section.

(F) This section is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this section may be prosecuted and convicted for any other criminal conduct involving the use or exhibition of the deadly weapon.

Somerton Code of Ordinances

Current through Ordinance 2021-003, passed June 15, 2021.

Chapter 10 – Offenses

Section 10-1-27. Weapons.

C.

1. Weapon, as used in this section, means anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term **weapon** includes a firearm which is not loaded or lacks a clip or other component to render it immediately operable, and components which can readily be assembled into a weapon.

F. A person who sells or gives to a minor under the age of 18 years, without written consent of the minor's parent or legal guardian, a weapon, ammunition, or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

South Tucson Code of Ordinances

Current through Ordinance 06-04, enacted April 24, 2006. (Supplement 3)

Chapter 11 – Licenses, Taxation and Miscellaneous Business Regulations

Article VI – Swap Meets

Section 11-288. Licensing and regulation of swap meet vendors.

It is unlawful for a swap meet vendor to fail to comply with the requirements of this article, and in particular:

(5) To display or offer for sale any firearms, as defined by state law, without holding a federal firearms license.

Springerville Code of Ordinances

Current through Ordinance 2022-003, enacted June 15, 2022. (Supplement 24, 8-22)

Title 17 – Zoning

Chapter 17.66 – Downtown Commercial

Section 17.66.030. Conditional uses (conditional use permit required).

A. Antique dealers; ... guns, retail sales and repairs; hotels and motels; microbrewery; miniature golf; music studios; office furniture, equipment and supplies, retail sales and showroom; places of worship, fraternal, social facilities, meeting halls and similar uses; pool and billiard halls; public and civic uses serving alcoholic beverages; public parking, garage; public/private utility structures and appurtenances thereto for public service; recreation and health club centers; restaurants serving alcoholic beverages; skating rinks; theaters, motion picture and live performance; tobacco sales.

Star Valley Code of Ordinances

Current through Ordinance 021-01, passed July 19, 2021.

Title 5 – Police Regulations

Chapter 3 – Offenses

Section 5-3-3. Weapons.

C. Minors: It is unlawful for any person to sell or give to a minor under the age of eighteen (18) years, without written consent of the minor's parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged.

Surprise Code of Ordinances

Current through Ordinance 2022-17, adopted August 1, 2022. (Supplement 54)

Chapter 122 – Surprise Unified Development Code

Article VI – Zoning Districts

Division 10 – Use Specific Standards

Section 122-43. Zoning use matrix.

Land Use Group	Zoning Districts	
	Permitted Use	Conditional Use Permit Required
Retail and Service Uses		
Ammunition and Firearms Sales	CC, CR, IP, IG	
Gunsmith	IP	CR

Section 122-86. Home occupation.

(t) The following uses by the nature of the investment of operation have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall not be permitted as home occupations: ...; sales of weapons or ammunition; taxi services; television repair; upholstery.

Tempe Code of Ordinances

Current through Resolution 02022.38, adopted September 22, 2022. (Supplement 20)

Chapter 22 – Offenses, Miscellaneous

Article I – In General

Section 22-14. Possession of firearms, exceptions.

(a) For the purposes of this section:

1. " **Minor**" means a person who is under the age of eighteen (18) years.
2. " **Firearm**" means any loaded or unloaded pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or expanding gases, except that it does not include an air rifle, air pistol, BB gun or a firearm in permanently inoperable condition.
3. " **Written consent** " means written approval or permission to possess a firearm, which is on a form prescribed by the Police Department, signed by the child's parent or legal guardian and notarized, and which specifically describes the firearm as follows:
 - a. Type;
 - b. Manufacturer;
 - c. Caliber; and
 - d. Serial number.

(b) It shall be unlawful for a minor to possess any firearm within the City without the written consent of the child's parent or legal guardian. The original written consent form shall be carried by the minor any time the minor is in possession of a firearm outside the minor's residence.

(c) Any firearm possessed by a minor in violation of this section shall be subject to forfeiture in the same manner as authorized by Title 13, Chapter 39, Arizona Revised Statutes.

Tempe Zoning and Development Code

Current through Ordinance 02022.41, enacted October 20, 2022. (Supplement 6, Update 1)

Part 3 – Land Use

Chapter 2 – Permitted Uses in Commercial and Mixed-Use Districts

Section 3-202. Permitted Uses in Commercial and Mixed-Use Districts.

Table 3-202A identifies land uses according to permit status. See key below the table:

Table 3-202A - Permitted Land Uses (R/O, CSS, CC, PCC, RCC)

Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Gun shop	N	U	U	U	U	U

Table 3-202B - Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Gun shop	U	U	U	U	U

Key:

P = Permitted

S = Permitted with special standards or limitations

U = Use permit required

N = Not permitted

R/O = Residential/Office

(a) Security plan required. See Section 6-313.

CSS = Commercial Shopping and Services (previously designated as CCR, C-1, C-2 districts)

CC = City Center (previously designated as CCD)

PCC-1 = Planned Commercial Center Neighborhood

PCC-2 = Planned Commercial Center General

RCC = Regional Commercial Center

Tolleson Code of Ordinances

Current through Ordinance 605 N.S., passed August 23, 2022.

Chapter 5 – Business Regulations

Article 5-4 – Auctions, Junk Dealers, Pawnshops and Secondhand Dealers

Section 5-4-1. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Auction House. Any establishment in which is carried on the business of auctioning articles for sale by public outcry and where the items offered for auction are sold immediately to the highest bidder.

Pawnshop. Any establishment in which is carried on the business of pawn brokerage, or the business of loaning money for the broker or for another person, receiving as security for payment thereof pawns or pledges of property, or the business of purchasing personal property and reselling or agreeing to resell, trade or exchange the article to vendors, their personal representatives or their assignees at a price agreed upon at or before the time of the purchase, whether the business be the principal or sole business so carried on or be merely incidental to, in connection with or a branch or a department of some other business.

Secondhand Dealer. Any person engaged in conducting, managing or carrying on the business of buying, selling, trading or exchanging, or otherwise dealing in secondhand goods, wares, merchandise or articles, whether the business be the principal or sole business so carried on, managed or conducted or be merely incidental to, in connection with, or a branch or department of some other business. This term shall not be construed to include trade-ins, dealers or auctioneers in articles or property, the transfer of title to which is required by the laws of the State of Arizona, to be evidenced by written instrument and recorded in the appropriate state and county office.

Section 5-4-2. Regulations.

(A) All businesses subject to this article shall be required to make and send within one week to the Chief of Police a full, true and complete report of all goods, wares, merchandise or articles received on deposit in pawn, pledge, trade or exchange or by purchase as listed below:

(1) All firearms;

(B) The weekly reports shall show the hours of the day and date when the articles were received, the signature of the seller and the seller's name and address as nearly as the same are known or can be ascertained by the auction house, junk dealer, pawnshop or secondhand dealer, together with a description of the seller, which description shall reveal the address, sex, approximate height, age, complexion, color of hair and any distinguishing marks of the person. The report filed by the auction house, junk dealer, pawnshop or secondhand dealer shall show the number of the pawn ticket, if any is given, the amount loaned for the article or the amount paid therefor, the quantity or number purchased and a brief description thereof.

(C) A record shall be kept by each auction house, junk dealer, pawnshop or secondhand dealer of the disposition of any of the above listed articles which they may have sold or exchanged.

(D) The Chief of Police, or his or her agents, or any proper city official, shall have the right to inspect the premises of any business covered by this article in order to investigate for and locate articles reported as lost, missing or stolen, and also the reports of the business to determine whether the provisions of this article are fully complied with by the owner or operator thereof.

Section 5-4-3. Special permit fee.

(A) Each person carrying on a business, trade or practice herein defined shall, before engaging in the business, obtain a permit from the Treasurer and shall pay for the permit a fee as follows:

Auction house \$3000 per annum

Pawnshop \$3000 per annum

Secondhand dealers \$3000 per annum

(B) All fees shall be payable semi-annually in advance.

(C) The special permit fees enumerated in division (A) above shall be in addition to the business license fee provided in 5-1-8.

Chapter 7 – Offenses

Article 7-4 – Weapons

Section 7-4-1. Possession of firearms by minors.

(A) It is unlawful for a minor who is unaccompanied by a parent, grandparent or guardian or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the minor's parent, grandparent or guardian from knowingly possessing or carrying on the minor's person, within the minor's immediate control or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property that is owned or leased by the minor or the minor's parent, grandparent or guardian.

(B) This prohibition shall not apply to a minor who is 14, 15, 16 or 17 years of age and who is engaged in any of the following:

(1) Lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited;

(2) Lawful transportation of an unloaded firearm for the purpose of lawful hunting;

(3) Lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited; and

(4) Any activity that is related to the production of crops, livestock, poultry, livestock products, poultry products or ratite or storage of agricultural commodities.

Tucson Code of Ordinances
Current through November 24, 2022

Chapter 7 – Businesses Regulated
Article IX – Swap Meets

Section 7-203. Unlawful practices of swap meet vendor.

It shall be unlawful for a swap meet vendor to fail to comply with the requirements of this article, and in particular:

(5) To display or offer for sale any firearms, as defined in the Arizona Revised Statutes, without holding a federal firearms license.

Chapter 11 – Crimes and Offenses
Article 1 – In General

Section 11-55. Definition of firearm and air gun; possession of firearms and air guns by minors; forfeiture of weapon, penalties.

(a) Definitions:

(1) **Firearm** means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, except that it does not include a firearm in permanently inoperable condition.

(b) A minor who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the minor's parent or guardian shall not knowingly carry or possess on the minor's person, within the minor's immediate control, or in or on any means of transportation a firearm or air gun in any place that is open to the public or on any street or highway or on any private property, except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

(c) This section does not apply to a minor who is fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and who is engaged in any of the following:

(1) Lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm or air gun is not prohibited.

(2) Lawful transportation of an unloaded firearm or air gun for the purpose of lawful hunting.

(3) Lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.

(4) Any activity that is related to the production of crops, livestock, poultry products or ratites or storage of agricultural commodities.

Yuma Code of Ordinances
Current through October 21, 2022.

Title 11 – General Offenses
Chapter 114 – Weapons

Section 114-02. Manufacture, Sale and Possession of Certain Weapons Prohibited.

(A) It shall be unlawful for any person to manufacture or cause to be manufactured, import into the city, keep for sale, or offer or expose for sale, or give, lend or possess any cane gun or wallet gun, any firearm which is not immediately recognizable as a firearm, any ammunition which contains or consists of any flechette dart, ..., sawed-off shotgun or metal knuckles, or have in his possession any homemade weapon constructed for the purpose of inflicting serious injury or to carry concealed upon his person any explosive substance, other than fixed ammunition or to carry concealed upon his person any dagger or other knife designed or intended for fighting.

Section 114-03. Exceptions.

(A) Section 114-02(A) shall not apply to any of the following:

(1) The manufacture, possession, transportation or use, with blank cartridges, of sawed-off shotguns solely as props for motion picture film or television program production when such is authorized by the Department of Justice.

(B) Section 114-02(B) shall not apply to the authorized use of any of the above weapons by certified law enforcement officers.