

Council of the City of York, PA
Session 2025
Bill No.
Ordinance No.

INTRODUCED BY: Edquina Washington

DATE: August 19, 2025

AN ORDINANCE

Amending Article 702, Unlawful Manufacture of Firearms, to add restrictions relating to the use of rapid-fire devices.

WHEREAS, the City of York has adopted a Charter pursuant to the Optional Third Class City Charter Law (“Act”) which grants to a city adopting a charter thereunder, broad powers of self-government and local autonomy subject only to certain limitations prescribed by the Act. *See Greenberg v. City of Bradford*, 248 A.2d 51 (Pa. 1968); *and*

WHEREAS, the grant of municipal powers by the Act was intended to confer the greatest power of local self-government consistent with the Constitution of this Commonwealth; *and*

WHEREAS, both the United States Supreme Court and the Pennsylvania Supreme Court have recognized that the right protected by the Second Amendment is not absolute; *and*

WHEREAS, the City Council of the City of York acknowledges that the Uniform Firearms Act (“UFA”), prohibits the City from regulating the “lawful ownership, possession, transfer or transportation of firearms, ammunition or ammunition components when carried or transported for purposes not prohibited by the laws of this Commonwealth.” 18 Pa. C.S. § 6120(a); *and*

WHEREAS, the Supreme Court of the United States issued its decision in *Garland v. Cargill*, 602 U.S. 406 (2024), holding that bump stocks are not machineguns because the use of a bump stock with a semiautomatic weapon does not allow it to fire more than one shot by a single function of the trigger; *and*

WHEREAS, the bump stocks, forced reset triggers, and certain other rate of fire acceleration devices are now legal and largely unregulated as mere accessories to firearms; *and*

WHEREAS, the City Council of the City of York has the authority to legislate matters not preempted, such as firearm accessories that accelerate the rate of fire of semiautomatic firearms thereby increasing exponentially the danger to the public.

NOW, THEREFORE, it is HEREBY ORDAINED by the Council of the City of York, Pennsylvania, that Article 702 of the City Code of Ordinances is hereby amended as follows:

SECTION ONE: Article 702, Unlawful Manufacture of Firearms, Section 702.01, Definitions, is amended as follows to alphabetically incorporate into the existing Section 1 the text to be added as shown in underline:

§ 702.01 DEFINITIONS.

Rapid Fire Device. Any device, part, accessory, attachment, or modification designed to accelerate the rate of fire of a semiautomatic weapon, including, but not limited to:

- a. Binary trigger
- b. Multi-burst trigger activator
- c. Trigger crank
- d. Auto sear
- e. Bump stock
- f. Forced reset trigger

SECTION TWO: Article 702, Unlawful Manufacture of Firearms, Section 702.02(a), Restrictions on Possession, Use, Transfer, or Manufacture, is amended as follows with the addition of the underlined text:

§ 702.02 RESTRICTIONS ON POSSESSION, USE, TRANSFER, OR MANUFACTURE.

- (4) manufacture or otherwise produce a rapid-fire device by any means, including via a three-dimensional printer or other additive manufacturing device or process.
- (5) purchase or otherwise take ownership, possess, or sell or otherwise transfer a rapid-fire device.
- (6) use a rapid-fire device within the City of York.

SECTION THREE: Article 702, Unlawful Manufacture of Firearms, is hereby amended by the addition of Section 702.03, Exemptions, as follows with the addition of the underlined text:

§ 702.03 EXEMPTIONS.

The contents of this Article shall not apply to any federal, state, county, or city agency, or any authorized agent or employee thereof, for use in the discharge of its official duties, including those charged with the enforcement of laws.

SECTION FOUR: Severability is intended throughout and within the provisions of this Article 702. If any section, subsection, sentence, clause, phrase, or portion of this Article 702 is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Chapter or this Article 702, nor shall any finding that this Chapter or any portion thereof is invalid or unconstitutional affect the validity of any other chapter that is a part of this Article 702.

SECTION FIVE: This Ordinance Amendment shall be effective upon final enactment as providing for the preservation of the public peace, health, morals, and safety.

DULY ORDAINED and ENACTED this ____ day of _____, 2025, by the City Council of the City of York, York County, Pennsylvania, in lawful session duly assembled.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: _____, _____, _____, _____, _____

NAYS: _____, _____, _____, _____, _____

ATTEST

Edquina Washington, President of Council

Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this ____ day of _____ 2025.

APPROVED: _____
Mayor Date

VETOED: _____
Mayor Date