California Published Ordinances A - L

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Chapter IV Offenses and Public Safety
Article V Firearms and Explosives
4-36 License Requirements for Firearms and Munitions

Section 4-36.1 Title for citation.

This section shall be known as Firearms Dealer License Requirements.

Section 4-36.2 Purpose.

It is the purpose of this section to establish, as authorized by State of California Penal Code section 12071, a local licensing process for persons engaged in the business of selling, transferring or leasing firearms and munitions and in related activities.

Section 4-36.3 Definitions.

The following words and phrases, whenever used in this section, shall be construed as defined in this section:

a. Firearm means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

b. Munitions means any projectile or explosive substance for use with any firearm.

c. Firearms dealer means a person engaged in the business of selling, transferring or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm or munitions and who holds a federal firearms license Type 1, 2, 6, 7, 8, 9, 10 or 11 under Title 18 U.S. Code, Chapter 44. d. Engaged in the business means the conduct of a business by the selling, transferring or leasing of any firearm or munitions; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring or leasing of any firearm or munitions, or the selling, transferring or leasing of firearms or munitions in quantity, in series or in individual transactions, or in any other manner indicative of trade including a pawnbroker.

d. Pawnbroker means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or munitions as security for the payment or repayment of money.

e. Person means natural person, association, partnership, firm, cooperative or corporation.

Section 4-36.4 License Required.

It is unlawful for any person to engage in the business of operating or managing any business which sells, transfers, leases or offers or advertises for sale, transfer or lease, any firearm or munitions without first obtaining a firearms dealer license from the Chief of Police of the Alameda Police Department. The license required by this section shall be in addition to any other permits or licenses required by law.

Section 4-36.5 Application, forms; fees.

An applicant for a license under this section shall file with the Chief of Police a sworn application in writing, on a form to be furnished by the City. The applicant shall provide all information requested, including proof of compliance with all applicable Federal, State and local laws when required by the Chief of Police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee as set forth in the City of Alameda Master Fee Resolution. To the extent practicable, the fee amount shall reflect the cost of enforcing the requirements of this section.

Section 4-36.6 Application, investigation.

The Chief of Police shall conduct an appropriate investigation to determine for the protection of the public safety whether the license may be issued. The Chief of Police may require additional information of an applicant deemed necessary to complete the investigation. The investigation shall be completed within thirty (30) days unless unusual circumstances exist justifying an extension of time. A written determination of the circumstances and an estimate of the additional time needed shall be provided to the applicant.

Section 4-36.7 Application denial.

The Chief of Police shall deny the issuance of a license when any of the following conditions exist:

a. The applicant is under the age of twenty-one years;

b. The applicant is not licensed as required by all applicable Federal, State and local laws;

c. The applicant has had a similar type license previously revoked or denied for good cause within the immediately preceding two (2) years;

d. The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for a license;

e. The applicant has been convicted of:

1. Any offenses so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable Federal, State and local laws,

2. Any offense relating to the manufacturing, sale, possession, use or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty or deceit,

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read;

f. The applicant is an unlawful user of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a dealer in firearms;

g. The applicant has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in concealable firearms;

h. The operation of the business as proposed will not comply with all applicable Federal, State or local laws, including zoning ordinances;

i. The applicant does not have, and/or cannot provide evidence of possessory interest in the property at which the proposed business will be conducted. When the property is leased or rented, the applicant shall provide written consent from the owner of record of the property to conduct such business at the property.

Section 4-36.8 Security.

In order to discourage the theft of firearms or munitions stored in the premises of a firearms or munitions dealer, any person licensed under this section must adhere to security measures as required by the Chief of Police. Security measures shall include but not be limited to:

a. The provision of secure locks, windows and doors, adequate lighting, and alarms as specified by the Chief of Police;

b. Storing of all firearms or munitions on the premises out of the reach of customers in a secure manner, so that access to firearms or munitions shall be controlled by the dealer or employees of the dealer, to the exclusion of all others.

Section 4-36.9 License form.

All licenses issued pursuant to this section shall be in the form prescribed by the Attorney General of the State of California.

Section 4-36.10 License, duration; renewal.

All licenses issued pursuant to this section shall expire one year after the date of issuance or automatically upon the revocation or expiration of the licensee's federal firearms license, whichever is earlier. Such licenses may be renewed by the Chief of Police for additional periods of one year upon the approval of an application for renewal by the Chief of Police and payment of a nonrefundable renewal fee. Such renewal application must be completed and received by the Chief of Police no later than forty-five (45) days prior to the expiration of the current license. Renewal applications may be denied if the conditions set forth in Section 4-36.7 exist.

Section 4-36.11 License assignment.

The assignment or attempt to assign any license issued pursuant to this section is unlawful and any such assignment or attempt to assign a license shall render the license null and void.

Section 4-36.12 License, conditions.

Any license issued pursuant to this section shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the license by the Chief of Police:

a. The business shall be carried on in the building located at the street address shown on the license. The licensee shall notify the Chief of Police in writing within ten (10) days of any change in business location; such relocation shall require a new inspection to ensure compliance with this section. A nonrefundable reinspection fee will be required.

b. The licensee shall comply with Sections 12073, 12074, 12076, 12077 and 12082 and subdivision (b) of Section 12072 of the California Penal Code, to the extent that the provisions remain in effect.

c. The licensee shall maintain records of all employees who will be engaged in the sale, lease, transfer or delivery of firearms or munitions, identifying them by name, address, date of birth and social security number. The licensee shall notify the Chief of Police in writing within ten (10) days of any change in employees and submit the required identifying information for each newly hired employee.

d. The licensee shall comply with the requirements of this section.

Section 4-36.13 License, grounds for revocation.

In addition to subsection 4-36.12, any provisions constituting grounds for denial shall also constitute grounds for revocation.

Section 4-36.14 License, hearing.

a. Any person whose application for a license under this section or a renewal license has been denied, or whose license has been revoked pursuant to the provisions of this section, shall have the right to a hearing before the Chief of Police or a designee prior to final denial or prior to revocation.

b. The Chief of Police shall give the applicant or licensee written notice of the intent to deny the application or to revoke the license. The notice shall set forth the ground or grounds for the Chief of Police's intent to deny the application or to revoke the license, and shall inform the applicant or licensee that he or she has ten (10) days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the license revoked if a written hearing request is not received within the ten (10) day period.

c. If the applicant or licensee files a timely hearing request, the Chief of Police shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross examine any witnesses against them. Any person dissatisfied with the decision of the Chief of Police may appeal to the City Council.

Section 4-36.15 Appeals.

Any person dissatisfied with a decision of the Chief of Police may file an appeal to the City Council within the time specified below. The appeal shall be made in writing and filed with the City Clerk not later than fifteen (15) days after the date written notice of the Chief of Police decision is made. Failure to file in a timely appeal shall result in a waiver to the right to appeal. The appeal shall state in detail the factual basis for the appeal.

Section 4-36.16 Indemnification.

Applicants and licensees shall indemnify, defend and hold harmless the City, its officers, agents and employees, from claims arising from the negligence of the applicants or licensees.

Section 4-36.17 License, authority to inspect.

Any and all investigating officials including police and fire investigators of the City shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing or health regulations, provisions of this section, and all Federal, State and local laws.

Section 4-36.18 Compliance.

Any person engaging in the business of selling, transferring or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm or munitions on the effective date of the ordinance codified in this section shall have a period of sixty (60) days after such effective date to comply with the provisions of this section.

Section 4-36.19 Temporary suspension of firearms dealer license.

a. If the licensee violates any Federal, State, County or City law relating to firearms or involving firearms, the Chief of Police may immediately suspend the firearms dealer's license. This temporary suspension will not exceed three (3) days. If the violation results in a criminal charge filed in court by a Federal, State or County District Attorney, such license to sell firearms or munitions may be suspended until the case is adjudicated in a court of law.

b. Notice of suspension shall be mailed to the person(s) who made application for the license and shall be delivered to the address listed on the license.

Section Section 4-36.20 Penalties.

a. Any person or entity, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of this Chapter, shall be guilty of an infraction for the first offense, or of a misdemeanor for any subsequent offense(s) occurring within the one (1) year after the first. Upon conviction, the person convicted shall be punished in accordance with Section 1-5 (Penalty Provisions) of this Code.

Chapter XXX Development Regulations
Article I Zoning Districts and Regulations
30-4 District Uses and Regulations

Section 30-4.9A C-C, Community Commercial Zone.

a. Uses Permitted.

2. … the following uses are expressly prohibited: gun and firearms sales when more than five (5%) percent of the floor area is devoted to this use, ….

b. Uses Requiring Use Permits.

1. The following retail sales and services require approval of a use permit in the C-C District by the Planning Board as regulated by subsection 30-21.3. In addition to the findings included in subsection 30-21.3 approval of a use permit is subject to finding the use consistent with the policies of the General Plan and the purpose of the C-C Zoning District.

(u) Gun and firearms sales when accessory to a sporting goods store provided the gun and firearms sales are limited to no more than five (5%) percent of the retail area,

Section 30-4.25 North Park Street District.

e. Use Regulations.

In no case shall this provision be interpreted to permit … gun and firearm sales, or tobacco and tobacco product stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses.

Alameda County Code of Ordinances
Codified through Ordinance No. 2018-46, passed August 7, 2018. (Supp. No.88)

Title 9 Public Peace, Morals and Welfare
Chapter 9.12 Firearms and Dangerous Weapons

Section 9.12.050 Definition of dangerous weapon.

Dangerous weapon shall mean and include:

F. Any rifle, gun, pistol, revolver, air rifle, B-B gun, air gun, sling, sling shot, or other similar instrument or device designed or intended to discharge or capable of discharging a bullet, shot, or other missile of any kind.

Section 9.12.060 Use, possession, discharge, sale of dangerous weapons.

Except as otherwise provided in Section 9.12.070 of this chapter, it shall be unlawful for any person in the unincorporated territory of the county to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

Section 9.12.070 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subsection F of Section 9.12.050; nor to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some adult person; nor to prohibit any minor from using or having in his possession or control any dangerous weapon which is in good faith in his possession or control or use for his lawful occupation or employment or for the purpose of lawful recreation.

Section 9.12.110 "Saturday night specials" handguns.

This section shall be known as the "county Saturday night special/junk gun sales prohibition" and may be so cited.

A. Purpose and Findings. The purpose of this section is to ensure the health, safety, and general welfare of county citizens by "eliminating the sale of inadequately designed and poorly manufactured handguns in the county. In adopting this section the board of supervisors finds as follows:

1. Saturday night specials, also known as "junk guns," are poorly manufactured and are not suitable for, or readily adaptable to, sporting purposes; and,

2. Saturday night specials are small and light making them easy to conceal, and present a threat to the public welfare and law enforcement officers; and,

3. According to the Bureau of Alcohol Tobacco and Firearms, eight of the ten firearms most frequently traced nationally to crime scenes in 1995 were Saturday night specials, and that according to a University of California Davis Violence Prevention Research Program, Saturday night specials are thirty-four (34) times more likely to be involved in crimes as are other firearms; and,

4. Gunshot fatalities and care of gunshot victims in California cost seven hundred three million dollars ($703,000,000.00) in direct medical costs in 1993 alone; and,

5. There are more than twice as many gun dealers as public schools in California; and,

6. More Californians now die from guns than from car accidents; and,

7. One hundred fifty-three (153) people were murdered in Oakland in 1995, and ninety-five (95) of them were killed with handguns; and,

8. The federal government has already prohibited the importation of foreign manufactured Saturday night specials; and,

9. Numerous public leaders and law enforcement officials have supported a ban on Saturday night specials; and,

10. Firearms manufacturers have made token modifications "Saturday night specials" which have resulted in no advancement, or only marginal advancement, in the durability of the handguns; and,

11. Firearms manufacturers have grafted inadequate safety devices onto the core design including fragile half-cock hammer notches in derringers and single-action revolvers, manual pistol slide locks, rudimentary hammer or trigger locks that act by simple interference, and crude grip safety levers; and,

12. Cosmetic remodeling by firearms manufacturers does not ameliorate the core design deficiencies of Saturday night special handguns, and that Saturday night special handguns continue to be dangerous products due to their low quality of manufacture and metallurgy, so as to be unacceptable in commerce in the unincorporated area of the county; and,

13. A firearm's frame, barrel, breechblock, cylinder and slide must be completely fabricated of heat-treated carbon steel, forged alloy or other material of equal or higher tensile strength in order to reliably contain the weapon's ballistic power, and that any firearm in which all of these components do not meet this standard is an inherently unsafe product; and,

14. The Legislature has not, expressly or impliedly, preempted the area of firearm sales. The board of supervisors therefore finds that the subject is within the scope of the powers of the county and the section is designed to protect the health, safety and general welfare of the community; and,

B. Definitions. Except as provided elsewhere herein the term "**Saturday night special**," as used in this section means any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in the California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat-treated carbon steel, forged alloy or other material of equal or higher tensile strength.

2. A semi-automatic pistol which: (a) is not originally equipped by the manufacturer with a locked-breech action; and (b) is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute. For purpose of this subsection, "semiautomatic pistol" means a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber; (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semiautomatic pistol" shall not include any assault weapons designated in California Penal Code Section 12276.

3. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which: (a) uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and (b) is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and (c) is not originally equipped by the manufacturer with a nondetachable trigger guard; or (d) if rimfire, is equipped with a barrel of less than twenty (20) bore diameters in overall length protruding from the frame. For purposes of this subsection, "action mechanism" means the mechanism of a firearm by which it is loaded, locked, fired and unloaded commonly known as the cycle of operation.

C. Exclusions. The term "Saturday night special" does not include any of the following:

1. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

2. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

3. Children's pop guns or toys; or

4. An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12); or

5. Any pistol which has been modified to either: render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday night special.

D. Roster of Saturday Night Specials. The county sheriff or his/her designee shall compile, publish, and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the county sheriff or his/her designee determines fit the definition of Saturday night special set forth in subsection B of this section, Definitions.

E. Notification. Upon completion of a list of firearms to be placed on the roster for the first time, the sheriff or his/her designee shall endeavor to send written notification to: (1) the manufacturer of every firearm on said list; and (2) every dealer within the unincorporated area of the county who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California and this code. Such notification shall do the following:

a. Identify the model number of the firearm which has been classified as a Saturday night special, and

b. Advise the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday night special, and

c. Advise the recipient that the burden of proving a firearm does not constitute a Saturday night special shall be on the recipient.

F. Reconsideration by the County Sheriff.

1. The county sheriff, or his/her designee, shall, prior to the effective date of the ordinance codified in this section establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the county sheriff or his/her designee to classify the firearm in question as a Saturday night special.

2. Upon timely filing of one or more complete applications for reconsideration, the county sheriff or his/her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday night special.

G. Appeal of Classification.

1. If the county sheriff or his/her designee determines that the firearm under reconsideration has been properly classified as a Saturday night special, then the applicant(s) shall have the right to appeal such decisions to the president of the board of supervisors, and the applicant(s) shall have the right to a hearing before the president or his/her designee prior to inclusion of the firearm in question on the roster.

2. The president, or his/her designee, is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the sheriff or his/her designee to classify the firearm in question as a Saturday night special.

3. The burden of proof shall be on the appellant(s) to demonstrate that the firearm does not constitute a Saturday night special.

4. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

5. The president or his/her designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the president or his/her designee shall, based on the evidence presented, determine whether the firearm constitutes a Saturday night special.

6. In all instances, the decision of the president or his/her designee whether to classify the firearm in question as a Saturday night special and to place said firearm on the roster is final.

H. Publication of the Roster. The county sheriff or his/her designee shall place on the roster those firearms which have been determined to constitute a Saturday night special. The sheriff or his/her designee shall cause the roster to be published in the following manner:

1. Notification of the roster's completion shall be published at least once in the official newspaper as designated by the county and circulated in the county within fifteen (15) days after its completion; and

2. A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the clerk of the board of supervisors,

3. A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the unincorporated areas of the county who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California and this code.

I. Effective Date of Roster. The roster shall become effective on the fifteenth day after its publication.

J. Additions to the Roster. Additions to the roster shall be made in accordance with the following:

1. Semiannual Determination. On a semiannual basis, the county sheriff or his/her designee shall determine the need to place firearms on the roster. Upon identifying one or more firearms as a Saturday night special, the president or his/her designee shall prepare a draft list of the additions to the roster.

2. Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the county sheriff or his/her designee shall endeavor to send written notification in accordance with the aforementioned provisions of subsection E of this section.

3. Reconsideration by the County Sheriff. Any person who the county sheriff or his/her designee notifies pursuant to subsection (J)(2) of this section may apply for reconsideration of the classification of that firearm as a Saturday night special in accordance with the provisions of subsection F of this section.

4. Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday night special after reconsideration, the applicant may file an appeal to the president and the president or his/her designee shall hold a hearing in accordance with the provisions of subsection G of this section.

5. Additions of Firearms to Roster. After all appeals have been exhausted, the county sheriff or his/her designee shall place on the roster those additional firearms which have been determined to constitute a Saturday night special within the meaning of this section. The county sheriff or his/her designee shall cause the roster, as amended to include these additional firearms, to be published in accordance with subsection H of this section.

6. Effective Date of Additions to the Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication.

K. Sale Prohibited. No wholesale or retail firearms dealer shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072 (d) of the Penal Code of the state of California.

L. Exemptions. Nothing in this section relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this section prohibit the use of any firearm by the above mentioned persons in the performance of their official duties.

M. Penalty. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this section shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this section is committed, continued or permitted by such person and shall be punishable accordingly. In addition, any person found to be in violation of this section shall be considered in noncompliance with the requirements of this code and subject to the suspension and or revocation of a firearms dealer permit.

N. and Validity. This section shall be enforced to the full extent of the authority of the county. If any section, subsection, paragraph, sentence or word of this section is deemed to be invalid or beyond the authority of the county, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this section, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this section shall be deemed severable.

Title 17. Zoning
Chapter 17.54. Procedures

Section 17.54.081 Variances, firearms sales.

A conditional use permit for firearms sales issued pursuant to this title is subject to the variance provisions set forth in Chapter 17.54.

Section 17.54.131 Conditional uses, firearms sales.

In addition to the findings required of the board of zoning adjustments under Sections 17.54.130 and 17.54.140, no conditional use permit for firearms sales shall issue unless the following additional findings are made by the board of zoning adjustments based on sufficient evidence:

A. That the district in which the proposed sales activity is to occur is appropriate;

B. That the subject premises is not within five hundred (500) feet of any of the following: Residentially zoned district; elementary, middle or high school; pre-school or day care center; other firearms sales business; or liquor stores or establishments in which liquor is served;

C. That the applicant possesses, in current form, all of the firearms dealer licenses required by federal and state law;

D. That the applicant has been informed that, in addition to a conditional use permit, applicant is required to obtain a firearms dealer license issued by the County of Alameda before sale activity can commence, and that information regarding how such license may be obtained has been provided to the applicant;

E. That the subject premises is in full compliance with the requirements of the applicable building codes, fire codes and other technical codes and regulations which govern the use, occupancy, maintenance, construction or design of the building or structure;

F. That the applicant has provided sufficient detail regarding the intended compliance with the Penal Code requirements for safe storage of firearms and ammunition to be kept at the subject place of business and building security.

Section 17.54.141 Conditional uses, action, firearms sales.

In order for a conditional use permit for firearms sales to become effective and remain operable and in full force, the following are required of the applicant:

A. A final inspection from appropriate building officials demonstrating code compliance;

B. Within thirty (30) days of obtaining a conditional use permit, and prior to any sales activity, a firearms dealer license shall be secured from the appropriate county agency;

C. The county-issued firearms dealer's license be maintained in good standing;

D. The maintenance of accurate and detailed firearms and ammunition transaction records;

E. Transaction records shall be available for inspection as required by the California Penal Code;

F. Compliance with all other state and federal statutory requirements for the sale of firearms and ammunition and reporting of firearms transactions, including, but not limited to Section 12070 et seq. of the California Penal Code.

Section 17.54.591 Applications, firearms sales.

In addition to the application requirements prescribed in Section 17.54.590 et seq., the application for a conditional use permit for the sale of firearms or ammunition shall contain the following information and data:

A. A detailed description of the location of the property from which the proposed firearms sale activity is to occur and a detailed description of the building or structure within which the sale of firearms is to take place including, but not limited to, the building floor-plan;

B. The true and complete legal name and complete address of each owner and tenant of the building or structure within which the sale activity is to take place;

C. A detailed description of all the makes and models of firearms and ammunition being offered for sale;

D. A detailed description of the planned compliance with building and inventory security measures required by state law;

E. The identification of any existing firearms dealer sales sites located within five hundred (500) feet of the applicant's proposed sales site.

Alhambra Code of Ordinances

Codified through Ordinance No 4724, passed November 12, 2017. (Supp. No. 14)

Title IX Public Peace and Safety
Chapter 9.92 Weapons

Section 9.92.030 Furnishing weapons to minors.

(A) It shall be unlawful for any person to sell, exchange, give, loan or furnish to any person under 18 years of age, any springback knife, gun, revolver, pistol, or firearm of any description which discharges or propels any missile; or any crossbow or bow more than three feet in length; or any metal or pointed tipped arrows; or any ammunition, cartridge or shell; or any other device containing any explosive substance designed and intended for use in any of the weapons enumerated herein.

(B) Nothing in this section shall prohibit the manufacturing, testing and sale of any of the articles mentioned in this section at wholesale by any person in the city; nor the sale by mail order sales of any of the articles mentioned in this section to persons residing outside the corporate limits of the city.

Aliso Viejo Code of Ordinances

Codified through Ordinance No 2018-201, passed September 5, 2018. (Supp. No. 21)

Title 4 Business Licenses and Regulations
Chapter 4.01 General Business Regulations

Section 4.01.020 Licenses required.

It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the city without first having obtained a license therefor in accordance with Chapter 4.03 AVMC:

B. Gun dealer;

G. Retail sale of firearms;

Amador County Code of Ordinances

Codified through Ordinance No 1776, passed July 10, 2018.

Title 12 Roads and Other Public Places
Chapter 12.44 Westover Field Rules and Regulations

Section 12.44.210 Firearms.

No person shall shoot any projectile from a firearm or other device, into, on, or across any portion of the airport, nor have in his possession, or under his control, any firearm which is not unloaded and securely wrapped and boxed for shipment, or explosive or explosive device; provided, however, that this section does not apply to peace officers or military personnel who are acting in the performance of their duties as such.

Anaheim Code of Ordinances

Codified through Ordinance No 6444, passed September 11, 2018. (Supp. No. 21)

Title 4 Business Regulation
Chapter 4.99 Retail Sale of Concealable Firearms

Section 4.99.010 Duly Constituted Licensing Authority.

The Finance Director of the City of Anaheim, or his or her designated representative, is designated the City's licensing authority, and is authorized to issue licenses for the retail sale of concealable firearms pursuant to Article 4 of the California Penal Code, commencing with § 12070. The term "Finance Director" as used herein shall include any representative designated by the Finance Director pursuant to this section.

Section 4.99.020 Definition — "Concealable Firearms."

The term "concealable firearms" shall mean pistols, revolvers and other firearms capable of being concealed upon the person.

Section 4.99.030 License Required.

No person shall conduct, engage in or carry on the business of selling, leasing, transferring, advertising, offering or exposing for sale, lease or transfer concealable firearms without having first obtained a license from the Finance Director. The license shall not be transferable. The initial license or any renewal thereof shall be valid from the date of issuance through December 31st of the same calendar year. Notwithstanding any other provision of this section, no license shall be

required by the City pursuant to this chapter for any activity which is exempt from such licensing by any provision of § 12070 of the Penal Code or any other provision of state law.

Section 4.99.040 Fees.

The City Council may by resolution establish a schedule of non-refundable fees sufficient to cover the costs to the City of Anaheim of administering the ordinance codified in this chapter, to be paid upon application for a license. Such fees shall be distinct from, and shall not supersede, business license fees and taxes owing to the City pursuant to Chapter 3.04 of the Anaheim Municipal Code.

Section 4.99.050 Issuance, Denial and Revocation of License.

.010 The Finance Director shall issue a license to an applicant who satisfies all the requirements contained in Penal Code §§ 12070, et seq., and shall deny a license to an applicant who fails to satisfy any one or more of those requirements.

.020 Any license issued pursuant to this chapter may be revoked by the Finance Director for breach of any of the conditions set forth in Penal Code § 12071(a).

.030 If an application for a license is denied, the Finance Director shall notify the applicant by certified mail of such denial within thirty days of the date of receipt of the application.

.040 If a license issued pursuant to this chapter is revoked, the Finance Director shall notify the licensee by certified mail of such revocation within ten days of the date of revocation.

.050 Any applicant who is denied a license or any licensee whose license is revoked may appeal such action to the City Manager or his designee within fifteen days after receipt of notice of denial or revocation by filing a written notice of appeal and paying any appeal fee as prescribed by resolution of the City Council within such fifteen day period. The City Manager or his designee shall review the circumstances of such denial or revocation and shall render a written decision. The action of the City Manager or his designee shall be final and conclusive.

Section 4.99.060 Existing Businesses.

Businesses selling, leasing, transferring, advertising, offering or exposing concealable firearms for sale prior to the adoption of the ordinance codified in this chapter shall have a period of ninety days from the effective date of the ordinance codified in this chapter in which to obtain the necessary license from the Finance Director.

Chapter 6.32 Dangerous Weapons

Section 6.32.010 "Dangerous or Deadly Weapons" Defined.

The term **dangerous or deadly weapons** as used in §§ 6.32.010 through 6.32.050 of this chapter includes, but is not limited to, … any firearm other than:

.010 One carried pursuant to valid permit issued by duly authorized governmental authority; or

.020 Any ordinary rifle or shotgun lawfully carried for purposes of hunting or other lawful purpose.

6.32.030 Disorderly Conduct while Having Dangerous or Deadly Weapons — Prohibited. It shall be unlawful for any person who has concealed upon his person or who has in his immediate physical possession any dangerous or deadly weapon to engage in any fight or to participate in any other rough or disorderly conduct upon any public place or way or upon the premises of another.

Section 6.32.050 Dangerous or Deadly Weapons in automobiles for Improper Purposes — Prohibited.

It shall be unlawful for any person to have in his possession, in any automobile, any dangerous or deadly weapon, but this restriction shall not be deemed to prohibit the carrying of ordinary tools or equipment carried in good faith for uses of honest work, trade or business, or for the purpose of legitimate sport or recreation.

Angels Camp Code of Ordinances

Codified through Ordinance No. 480, passed December 4, 2017.

Title 17 Zoning
Chapter 17.34 Permitted and Conditional Uses

17.34.040 Uses subject to a conditional use permit.

Zoning Table 17.34.080 is listed as follows:

Legend - Abbreviations

R1	Single-Family Residential	HC	Historical Commercial
R2	Two-Family Residential	CC	Central Commercial
R3	Multifamily Residential	SC	Suburban Commercial

BAE	Business Attraction and Expansion	P	Permitted
I1	Industrial Light	C	Conditional Use
I2	Industrial Heavy	NP	Not Permitted
VC	Visitor Serving Commercial	SP	Site Plan
LC	Light Commercial		

*NOTE: Planned Development (PD) = Areas zoned with additional (PD) may have differing requirements from this table; please refer to those specific zoning requirements.

	Zone Districts											
Land Use	R1	R2	R3	HC	CC	SC	BAE	I1	I2	VC	LC	Notes
Commercial												
Firearms, Weapons and Ammunition	NP	NP	NP	C	C	C	C	C	C	NP	NP	

Antioch Code of Ordinances

Codified through Ordinance No. 2131-C-S, passed November 14, 2017. (Supp. No.31)

Title 4 Public Safety
Chapter 6 Weapons and Fireworks

Section 4-6.01 Firearms.

(B) Possession by minors. It shall be unlawful for any person under the age of 18 years, State Fish and Game Laws notwithstanding, to have in his or her possession any type of gun, shotgun, rifle, or pistol, except under the direct supervision and control of a parent, guardian, or adult having responsibility for the minor.

Title 9 Planning and Zoning
Chapter 5 Zoning
Article 38 Land Use Regulations

Section 9-5.3833 Firearms sales.

(A) Prior to the commencement of the operation, the operator(s) shall be required to obtain a use permit, subject to approval of the Planning Commission.

(B) In addition to the use permit requirements stipulated in this chapter, the applicant must also furnish an outline of the security and safety measures that will be used in the operation of the business. Required measures shall include a security alarm system and a locked storage area for firearm and ammunition inventory. These measures shall be subject to review by the Chief of Police or his or her designee and the appropriate fire protection agency and the approval of the Planning Commission.

(C) Prior to occupancy of the business, the applicant(s) shall furnish any applicable documentation evidencing compliance with federal and state requirements for a firearms dealer. Should any of the applicant's necessary federal and/or state permits be revoked, terminated, expired, or otherwise declared invalid, the use permit or Home Occupation Use Permit shall be considered void.

(D) Commercial establishments offering firearms for sale and which were in operation when this chapter became effective shall comply with the requirements of this section for security and safety within one year after the adoption of this chapter.

(E) A home-based holder of a valid Federal Firearm License, a valid Seller's Permit issued by the State Board of Equalization, and a valid Certificate of Eligibility issued by the California Department of Justice, all of which were issued prior to July 1, 1994, may continue his/her operation, provided a Home Occupation Use Permit (HOUP) is obtained from the city. Home-based sales of firearms are prohibited if the above certificates were obtained after July 1, 1994.

Arcata Code of Ordinances

Codified through Ordinance No. 1509, passed October 17, 2018.

Title IV Public Welfare, Morals and Conduct
Chapter 2 Other Violations

Section 4113 Sale to Minors.

Except as otherwise provided in this article, no person shall sell, give, loan, or in any way furnish to any person under the age of 16 years any firearm, air gun, gas-operated gun, sling, sling shot, bow and arrow, or other device designed or intended to discharge, or capable of discharging, any dangerous missile.

Section 4115 Possession by Minors.

Except as otherwise provided in this Article, no person under the age of 16 years shall have in his possession, care, custody, or control within the corporate limits of the City of Arcata any firearm, air gun, gas-operated gun, spring gun, sling, sling shot, bow and arrow, or other device designed or intended to discharge, or capable of discharging, any dangerous missile.

Section 4116 Exceptions.

Nothing in this Article shall be deemed or construed to prohibit the furnishing or possession of a firearm or a bow and arrow for the purposes of, and while actually engaged in, bona fide organized and supervised youth activity. Nor shall anything in this Article be deemed or construed to prohibit the furnishing to, or the possession by, a holder of a valid hunting license issued to such person in accordance with the provisions of the Fish and Game Code of the State of California a firearm or a bow and arrow while going to or returning from a lawful hunting expedition.

Artesia Code of Ordinances

Codified through Ordinance No. 18-868 and the September 2018 code supplement.

Title 5 Public Welfare
Chapter 7 Weapons

Section 5-7.01 Minors: Possession.

Except as otherwise provided in Section 5-7.03 of this chapter, it is unlawful for any person to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, device designed or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

Section 5-7.03 Exceptions.

The provisions of this chapter shall not be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any weapon or explosive substance set forth in Section 5-7.02 of this chapter; nor to prohibit any such person under the age of eighteen (18) years from having in his or her possession, care, custody, or control any weapon or explosive substance set forth in said Section 5-7.02 in the event such possession, care, custody, or control of such weapon or explosive substance is had with the consent of the parent or guardian of such person and is under the direct supervision and control of an adult person; nor to prohibit any such person under the age of eighteen (18) years from firing, discharging, shooting, or operating any weapon or explosive substance set forth in said Section 5-7.02 when such person is accompanied by, and under the direct care and control of, an adult person and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed in the City or is lawfully engaged in shooting at any inanimate target or trapshooting device while accompanied by, and under the direct care and control of, an adult person.

Title 9 Planning and Zoning
Chapter 2 Zoning
Article 28 Single-Family Residential Zone (R-1)

Section 9-2.2803 Accessory Uses Permitted (R-1).

(c) Home Occupations.

(1) Small and unobtrusive businesses may be conducted in any primary dwelling unit upon any lot or parcel located within the R-1 Zone, provided that the following standards are complied with:

(xv) No firearms or ammunition shall be purchased, sold, repaired or traded as part of a home occupation.

Article 34. Manufacturing and Industrial Zones (M-1 and M-2)

Section 9-2.3402 Permitted and Conditionally Permitted Uses.

(a) The uses listed in Table 34-1 shall be permitted, conditionally permitted or prohibited in the M-1 and M-2 Zones as provided herein. In Table 34-1, the letter “P” designates use classifications permitted in the specified zone; the letter “C” designates use classifications permitted subject to approval of a conditional use permit, as provided in Article 17 of this chapter. Where an “X” is indicated or no symbol is indicated for a use under either zone, or where a use classification is not listed, the use is not permitted.

Table 34-1Permitted and Conditionally Permitted Uses in the M-1 and M-2 Zones

Use Classification	M-1	M-2
Miscellaneous Uses		
Gunsmith	C	X

Atherton Code of Ordinances
Codified through Ordinance No. 633, passed June 20, 2018.

Title 9 Public Peace, Morals and Welfare
Chapter 9.08 Firearms

Section 9.08.010 Prohibited acts.

Except as otherwise provided, no person shall have in his possession within the city, and no person shall fire or discharge or cause to be fired or discharged within the city, and no parent, guardian or person having the care, custody or control of a minor shall permit such minor to have in his possession within this city or to fire or discharge or cause to be fired or discharged within the city, any firearm, cannon, gun, pistol, revolver, rifle, air rifle, airgun, BB gun or pellet gun or any instrument of any kind, character or description which throws or projects bullets or missiles of any kind to any distance by means of elastic force, air or any explosive substance, all referred to in this section as “firearms.”

Section 9.08.020 Exceptions.

The provisions of Section 9.08.010 as to the use of any firearms mentioned therein shall not apply to any of the following cases:

D. For possession of firearms for keeping at the place or residence of the person otherwise in lawful possession thereof, or while traveling to or from a legal firing, shooting or target range or hunting ground, or pursuant to a valid permit issued pursuant to state law.

Atwater Code of Ordinances
Codified through Ordinance No. CS 996, passed May 14, 2018. (Supp. No.7, Update 2)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.28 Handgun Dealers

Section 5.28.010 License required.

No person shall engage in the business of selling or otherwise transferring, or shall advertise for sale or offer or expose for sale of transfer, within the City, any pistol, revolver, or other firearm capable of being concealed upon the person unless he has been issued a license pursuant to Section 5.28.020.

Section 5.28.020 Licensing authority.

A. The Chief of Police or his designee of the City shall be and is designated as the licensing authority of the City for the purpose of licensing firearms defined under Section 5.28.010, and as such licensing authority shall accept application for and may, within his discretion, grant licenses permitting the licensee to sell at retail within the City pistols, revolvers, and other firearms capable of being concealed upon the person. Such license, if granted, shall be in the form prescribed by the Attorney General and shall be effective for not more than one year from the date of its issuance and such license shall be subject to the following conditions:

1. The business shall be carried on only in the building designated in the license.

2. The license, or a copy thereof, certified by the issuing authority shall be displayed on the premises where it can easily be seen.

3. No pistol or revolver, or imitation thereof, or any placard advertising the sale, or other transfer thereof, shall be displayed in any part of the premises where it can be readily seen from the outside.

B. A breach of any of the conditions set forth in subsection A of this section shall subject the licensee to forfeiture of the license issued.

Azusa Code of Ordinances
Codified through Ordinance No. 2017-14, enacted December 18, 2017. (Supp. No.60)

Chapter 46 Offenses and Miscellaneous Provisions
Article VII Offenses Against Public Health and Safety

Section 46-323 Restriction of ammunition sales during certain times of the year.

(a) The term "**firearm ammunition**," as used in this section shall mean projectiles expelled by force of an explosion, for use in pistols and revolvers, as defined in California Penal Code 12001, notwithstanding that the ammunition may also be used in rifles or shotguns.

(b) Except as specified in subsections (c) and (d), no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during the period of seven days prior to the first day of January of each year or on the first day of January of each year, or during the seven days prior to the fifth day of May of each year or the fifth day of May of each year, or during the seven days prior to the fourth of July of each year or the fourth of July of each year.

(c) Nothing in this section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer, or of ammunition requested by California Penal Code 12324.

(d) Nothing in this section shall prohibit sale to or acquisition by any person described in California Penal Code 12302 or 12322.

(e) The provisions of this section shall not apply to the sale of any firearm ammunition when such sale is prohibited by California Penal Code 12303, 12303.6, 12304 or 12321, or is otherwise prohibited by chapter 2.5, title 2, part 4, of the Penal Code of the State of California.

Article X Weapons

Section 46-432 Possession by minors.

(a) Except as otherwise provided for in this article, it is unlawful for any minor person under the age of 18 years to have in his or her possession or under his or her control, care or custody any gun, revolver, pistol, firearm, spring gun, airgun, air rifle, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile, cartridge, projectile or any device containing any explosive substance designed or intended to be used in or fired from any gun, pistol or firearm

Section 46-433 Providing to minors.

Except as otherwise provided for in this article, it is unlawful for any person to sell, give, loan or in any way furnish or to cause or permit to be sold, given or loaned or in anyway furnished to any minor person under the age of 18 years any gun, revolver, pistol, firearm, imitation firearm, spring gun, airgun, air rifle, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile, cartridge, projectile such as a BB or a pellet not exceeding 6mm caliber, or any device containing any explosive substance designed or intended to be used in or fired from any gun, pistol or firearm.

This section shall not apply to or include any person who loans, gives or furnishes to any minor person under the age of 18 years any firearm or weapon or device when and only when it is so loaned, given or furnished with the express or implied permission of the parent or legal guardian of the minor and is for the purpose of such minor person under 18 years of age actually participating in shooting at any designated target ranges described in section 46-435, or while traveling to or returning from such target ranges.

Section 46-438 Penalties.

(a) Criminal penalties. Any person who willfully violates the provisions of Chapter 46, article X, sections 46-432 and 46-433 of this Code shall be guilty of a misdemeanor.

(b) Administrative penalties. In addition to or in lieu of criminal penalties, an administrative fine or penalty may be imposed as authorized in Chapter 1, section 1-24 of this Code for any violation of Chapter 46, article X, section 46-432 or section 46-433.

(d) State law. The provisions of this section are in addition to any penalties imposed by applicable state law, including but not limited to the California Penal Code, sections 12550 through 12556.

Bakersfield Code of Ordinances
Codified thorough Ordinance No. 4943, passed September 5, 2018.

Title 9 Public Peace, Morals and Welfare
VIII Weapons Offenses
Chapter 9.52 Weapons in Public Buildings

9.52.020 Weapons in owner's place of business or residence allowed.

Nothing in this chapter shall be construed to prohibit any citizen of the United States over the age of eighteen years who resides or is temporarily within this city and who is not exempt by § 9.52.010, from owning, possessing, or keeping within his place of residence or place of business any pistol, revolver, or other firearm, and no permit or license to own, possess or keep such firearm at his place of residence or place of business shall be required of him.

Title 17 Zoning
Chapter 17.30 M-2 General Manufacturing Zone

Section 17.30.030 Uses permitted only be conditional use permit.

While any use may be permitted by conditional use permit pursuant to subsection B of Section 17.64.020, the following uses are not permitted in the M-2 zone except by conditional use permit issued in accordance with the procedures provided in Chapter 17.64 of this title:

B. Ammunition manufacture;

Banning Code of Ordinances
Codified through Ordinance No. 1522, adopted June 12, 2018. (Supp. No. 40, 6-18)

Title 9 Public Peace, Morals and Welfare
Chapter 9.16 Weapons

Section 9.16.010 Guns, defined.

As used in this chapter, the word "gun" means and includes air guns, air rifles, pistols, revolvers and guns of any character fired by explosives.

Section 9.16.020 Guns, possession by children.

Any gun in possession of a minor under the age of sixteen years, except within his home or except when he is in the direct charge and under the supervision of his parent or guardian, is hereby declared to be a nuisance and to be subject to immediate seizure and confiscation.

Barstow Code of Ordinances
Codified through Ordinance No. 954-2017, enacted July 17, 2017. (Supp. No. 3)

Title 19 Zoning
Chapter 19.10 Residential Districts

Section 19.10.080 Home occupation permits.

(a) Uses not permitted. The following uses, because of their nature, shall be listed as not being provided for in any event:

(12) Sale and/or repair of firearms.

Beaumont Code of Ordinances
Codified through Ordinance No. 1102, adopted August 21, 2018. (Supp. No. 2, Update 1)

Chapter 17.03. Zoning Map and Zone Districts

Section 17.03.120 Permitted uses for Base Zone Districts.

The permitted uses for the Base Zone Districts (identified herein in Section 17.03.040 through 17.03.110) are listed in Table 17.03-3.

Table 17.03-3 Permitted Land Uses for Base Zone Districts

	RC	PF	RR	RSF	RMF	CG	CC	M	CM
General Merchandise and Trade									
Guns and Ammunition	N	N	N	N	N	P	P	C	P

N = Not Permitted; P = Permitted; C = Conditionally Permitted

Section 17.14.030 Definitions (A through Z).

Fire Arm Sales or Firearms Business. An establishment having at least 25 percent of its gross floor area devoted to the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.

Bell Code of Ordinances
Codified through Ordinance No. 1238 and the November 2018 code supplement.

Title 12 Streets, Sidewalks and Public Places
Chapter 12.36 Park Use Regulations

Section 12.36.030 Firearms.

No person shall have in his or her possession in any public park any firearm, air gun, slingshot, bow and arrow or BB gun, nor shall any person discharge or shoot any firearm, air gun, slingshot, bow and arrow or BB gun within any public park within the city.

Bell Gardens Code of Ordinances
Codified through Ordinance No. 892, passed November 19 2018.

Title 17 Public Peace, Morals and Welfare
Division III Weapons
Chapter 17.62 Furnishing to or Use by Minors

Section 17.62.010 Guns and other devices to discharge missiles – Furnishing to minors prohibited.

Except as otherwise provided in BGMC 17.62.040, it is unlawful in the city for any person, firm, or corporation to sell, give, lend, or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished, to any person under the age of 18 years any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or other device designated or intended to discharge, or capable of discharging, any dangerous missile..

Section 17.62.020 Cartridges and shells – Furnishing to minors prohibited.

Except as otherwise provided in BGMC 17.62.040, it is unlawful in the city for any person, firm, or corporation to sell, give, lend, or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished, to any person under the age of 18 years any cartridge, shell, ammunition, or device containing any explosive substance designed, or intended to be used in, or fired from any gun, revolver, pistol, or firearm.

Section 17.62.030 Firing or possessing of prohibited weapons prohibited.

Except as otherwise provided in BGMC 17.62.040, it is unlawful in the city for any person under the age of 18 years to fire, discharge, shoot, or operate, or to assist or participate in the firing, discharging, shooting, or operating of, or to have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or other device designed, or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

Section 17.62.040 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit in the city the selling, giving, lending, or furnishing to any person under the age of 18 years, upon the written consent of the parent or guardian of such person, any article mentioned in BGMC 17.62.010 through 17.62.030; nor to prohibit any such person under the age of 18 years from having in his or her possession, care, custody, or control any article mentioned in BGMC 17.62.030 in the event that such possession, care, custody, or control is had with the consent of the parent or guardian of such person, and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of 18 years from firing, discharging, shooting, or operating any article mentioned in BGMC 17.62.030 when such person is accompanied by, and under the direct care and control of, some adult person, and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed in the city, or is lawfully engaged in shooting at any inanimate target, or trapshooting device, while accompanied by, and under the direct care and control of, some adult person.

Bellflower Code of Ordinances
Codified through Ordinance No. 1362 and the October 2018 code supplement.

Title 17 Zoning
Chapter 17.44 C-G General Commercial Zone

Section 7.44.030 Conditional uses.

A. The following uses are permitted only after a valid Conditional Use Permit is approved by the Planning Commission, pursuant to the provisions of Chapter 17.96 of this Code. Any such use must also comply with all applicable development

standards and other requirements set forth in this Code including, without limitation, obtaining any additional permits or licenses required by this Code.

33. Gun shop retail sales and ancillary repair.

59. Sporting goods stores with accessory (i.e., incidental) gun sales.

Chapter 17.48 Town Center (TC) District

Section 17.48.040 Permitted, Conditionally Permitted, and Not Permitted Uses.

Land, buildings, and other facilities shall be designed, developed, and used only for those activities indicated for the Town Center District in Table 17.48.040 entitled Permitted, Conditionally Permitted, and Not Permitted Uses. Where indicated with the letter “P,” the use shall be permitted by right. Where indicated with the letter “C,” the use shall be a conditional use subject to the Conditional Use Permit process (Chapter 17.96). Where indicated with the letters “NP,” the use shall not be permitted.

Table 17.48.040 Town Center District Permitted, Conditionally Permitted, and Not Permitted Uses

	Area 1			Area 2		
Uses	P	C	NP	P	C	NP
B. Commercial Uses						
46. Gun sales, accessory use		X			X	

Chapter 17.61. Bellflower/Alondra Mixed-Use (BAMU) Overlay Zone

Section 17.61.040 Permitted Uses in BAMU Overlay Zone.

Table 17.61.040A lists uses permitted (P), permitted by conditional use permit (C), and not permitted (–) in the BAMU Overlay Zone, subject to the special use or development regulations indicated in the “additional requirements” column.

Supplemental definitions for land uses currently not contained within this chapter are included in Chapter 17.08.

Table 17.61.040A BAMU Overlay Zone Allowable Uses Table

“P” – Permitted
“CUP” – Conditional Use Permit Required
“MCUP” – Minor Conditional Use Permit Required
“—” – Not Permitted

Land Use or Activity	BAMU	References/Notes
Specialty Commercial		
Gun Sales – Accessory Use	CUP	

Belmont Code of Ordinances

Codified through Ordinance No. 2017-1128, enacted December 12, 2017. (Supp. No. 42)

Chapter 15 Offenses, Miscellaneous
Article II Weapons
Division 2 Firearms

Section 15-33 Defined.

"Firearms" is defined as a cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 15-36 Possession by minors prohibited.

It shall be unlawful for any person under the age of eighteen (18) years to have in his possession in a public place any firearm, except as provided in the following section.

Section 15-37 Exceptions to possession by minors.

The provisions of the preceding section shall not apply to persons under the age of eighteen (18) years in the following cases:

(a) When under charge of adult. When such person is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of the person under the age of eighteen (18) years.

(b) Unloaded guns. When the firearm is unloaded and either (1) in a dismantled or "take-down" condition or (2) completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

Section 15-38 Sale to minors.

No person shall sell, deliver or transfer to any person under the age of eighteen (18) years ownership of any pistol, revolver or other similar weapon designed to discharge a solid projectile propelled by the expansion of a gas.

Section 15-39 Violations.

It shall be a violation for any person to act in contravention of any of the provisions of this division and for any parent or guardian of a minor person under the age of eighteen (18) years to knowingly permit or allow any such minor to purchase a weapon in violation of the preceding section or to do any other act in contravention of any of the other provisions hereof. Violations shall be punished as provided for in section 1-8.

Division 3 Prohibition on the Sale of Saturday Night Specials, Also Known as Junk Guns

Section 15-40 Title, purpose and definitions.

This division shall be known as the "City of Belmont Saturday Night Special/Junk Gun Sales Prohibition" and may be so cited. Its purpose is to ensure the health, safety, and general welfare of City of Belmont citizens by eliminating the sale of cheaply made, inadequately designed and poorly manufactured handguns in the City of Belmont. Except as provided in section 15-41 herein, the term **"Saturday Night Special,"** as used in this section shall mean any of the following:

(a) A pistol, revolver or firearm capable of being concealed upon the person, as those terms are defined in the California Penal Code Section 12001(a), which contains a frame, barrel breech block, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength.

(b) A semiautomatic pistol which:

(1) Is not originally equipped by the manufacturer with a locked-breech action.

(2) Is chambered for cartridges developing maximum permissible breech pressures above twenty-four thousand one hundred (24,100) copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

(3) For purpose of this subsection (b), "semiautomatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one (1) hand, and which does the following upon discharge: fires the cartridge in the chamber; ejects the fired cartridge case; and loads a cartridge from the magazine into the chamber. "Semiautomatic pistol" shall not include any assault weapons designated in California Penal Code Section 12276.

(c) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

(1) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below nineteen thousand (19,000) copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(2) Is chambered to fire either center fire ammunition or rimfire ammunition developing maximum permissible breech pressures above nineteen thousand (19,000) copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(3) Is not originally equipped by the manufacturer with a nondetachable trigger guard; or

(4) If rimfire, is equipped with a barrel of less than twenty (20) bore diameters in overall length protruding from the frame.

(5) For purposes of this subsection (c), "action mechanism" shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded commonly known as the cycle of operation.

Section 15-41 Exclusions.

The term "Saturday Night Special" does not include any of the following:

(a) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020.

(b) Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion.

(c) Children's pop guns or toys.

(d) An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12).

(e) Any pistol which has been modified to either render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday Night Special.

Section 15-42 Roster of Saturday night specials and notifications.

On or before January 1, 1997, the chief of police or his/her designee shall compile, publish and thereafter maintain a roster of Saturday Night Specials. The roster shall list those firearms, by manufacturer and model number, which the chief of police or his/her designee determines fit the definition of Saturday Night Special set forth in section 15-41. Upon completion of a list of firearms to be placed on the roster for the first time, the police chief or his/her designee shall endeavor to send written notification to the manufacturer of every firearm on said list, and every dealer within the city who is licensed to sell and transfer firearms pursuant to section 12071 of the Penal Code of the State of California.

(a) Identify the model number of the firearm which has been classified as a Saturday Night Special within the meaning of section 15-41 of the Municipal Code; and

(b) Advise the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday Night Special; and

(c) Advise the recipient that the burden of proving a firearm does not constitute a Saturday Night Special within the meaning of section 15-41 of the Municipal Code shall be on the recipient.

Section 15-43 Reconsideration by the chief of police.

(a) The chief of police, or his/her designee, shall, prior to the effective date of this ordinance establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the chief of police or his/her designee to classify the firearm in question as a Saturday Night Special as defined in Municipal Code section 15-41.

(b) Upon timely filing of one (1) or more complete applications for reconsideration, the chief of police or his/her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday Night Special within the meaning of section 15-41 of the Municipal Code.

Section 15-44 Appeal of classification.

(a) If the chief of police or his/her designee determines that the firearm under reconsideration has been properly classified as a Saturday Night Special, then the applicant(s) shall have the right to appeal such decisions to the city manager, and the applicant(s) shall have the right to a hearing before the city manager or his/her designee prior to inclusion of the firearm in question on the roster.

(b) The city manager, or his/her designee, is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the chief of police or his/her designee to classify the firearm in question as a Saturday Night Special as defined in Municipal Code section 15-41.

(c) The burden of proof shall be on the applicant(s) to demonstrate that the firearm does not constitute a Saturday Night Special within the meaning of section 15-41 of the Municipal Code.

(d) All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

(e) The city manager or his/her designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the city manager or his/her designee shall, based on the evidence presented, determine whether the firearm constitutes a Saturday Night Special within the meaning of section 15-41 of the Municipal Code.

(f) In all instances, the decision of the city manager or his/her designee whether to classify the firearm in question as a Saturday Night Special as defined in the Municipal Code section 15-41 and to place said firearm on the roster is final.

Section 15-45 Publication and effective date of the roster.

The chief of police or his/her designee shall place on the roster those firearms which have been determined to constitute a Saturday Night Special within the meaning of section 15-41 of the Municipal Code. The chief of police or his/her designee shall cause the roster to be published in the following manner:

(a) Notification of the roster's completion shall be published at least once in the official newspaper as designated by the city and circulated in the city within fifteen (15) days after its completion; and

(b) A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the city clerk of the City of Belmont; and

(c) A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the city who is licensed to sell and transfer firearms pursuant to section 12071 of the Penal Code of the State of California;

(d) The roster shall become effective on the fifteenth day after its publication.

Section 15-46 Additions to the roster.

Additions to the roster shall be made in accordance with the following:

(a) Semiannual determination. On a semiannual basis, the chief of police or his/her designee shall determine the need to place firearms on the roster. Upon identifying one (1) or more firearms as a Saturday Night Special, the city manager or his/her designee shall prepare a draft list of the additions to the roster.

(b) Notification of additions to roster. In the event that a draft list of firearms to be added to the roster is prepared, the chief of police or his/her designee shall endeavor to send written notification in accordance with the aforementioned provisions of section 15-42.

(c) Reconsideration by the chief of police. Any person who the chief of police or his/her designee notifies pursuant to subsection (b) above may apply for reconsideration of the classification of that firearm as a Saturday Night Special in accordance with the provisions of section 15-43.

(d) Appeal of classification. Whenever a firearm has been determined to be properly classified as a Saturday Night Special after reconsideration, the applicant may file an appeal to the city manager and the city manager or his/her designee shall hold a hearing in accordance with the provisions of section 15-44.

(e) Additions of firearms to roster. After all appeals have been exhausted, the chief of police or his/her designee shall place on the roster these additional firearms which have been determined to constitute a Saturday Night Special within the meaning of section 15-41. The chief of police or his/her designee shall cause the roster, as amended to include these additional firearms, to be published in accordance with section 15-45.

(f) Effective date of additions to the roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication as set forth in section 15-45.

Section 15-47 Sale prohibited.

After January 1, 1997, no wholesale or retail firearms dealer as licensed by or operating within the City of Belmont shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday Night Specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to section 12072(d) of the Penal Code of the State of California.

Section 15-48 Exemptions.

Nothing in this division relative to the sale of Saturday Night Specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, of other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this division prohibit the use of any firearm by the above mentioned persons in the performance of their official duties.

Section 15-49 Penalty.

Any person violating any of the provisions of this division shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this division shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this division is committed, continued or permitted by such person and shall be punishable accordingly. In addition, a firearms dealer permit of any person found to be in violation of this division shall be subject to suspension and/or revocation.

Section 15-50 and validity.

This division shall be enforced to the full extent of the authority of the City of Belmont. If any section, subsection, paragraph, sentence or word of this division is deemed to be invalid or beyond the authority of the City of Belmont, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this division, and the applications thereof and to that end the section, subsections, paragraphs, sentences and words of this division shall be deemed severable.

Berkeley Code of Ordinances
Codified through Ordinance No. 76.23-NS, passed October 30, 2018.

Title 7 Finance, Revenue and Taxes
Chapter 7.92 Firearm and Firearm Ammunition Seller Tax

Section 7.92.030 Tax imposed--Tax rate--Term--Index.

A. There is imposed a special tax on every person engaged in the business of selling firearms or firearms ammunition, as defined by this chapter, of one hundred fifty dollars for each thousand dollars of gross receipts from all merchandise sold in the same premises as the firearms or firearm ammunition is sold.

B. The tax imposed by his chapter shall be operative on July 1,1997, and supersedes the tax adopted by Ordinance 6349-N.S.

Title 9 Business Licenses and Regulations
Chapter 9.04 Business Licenses

Section 9.04.177 Firearms and ammunition sales.

A. Every person engaged in the business of selling firearms or firearms ammunition, as defined by this chapter, shall pay a license fee of one hundred fifty dollars for each thousand dollars of gross receipts from all merchandise sold in the same premises as the firearms or firearm ammunition is sold, as provided in Section 9.04.240.

B. Notwithstanding Section 9.04.225, no person engaged in the business of selling firearms or firearms ammunition, as defined by this chapter, may elect to combine gross receipts as set forth in Section 9.04.225, but shall pay a license fee at the rate provided in Section 9.04.220 for persons engaged in the business of selling firearms or firearms ammunition.

C. As used herein, the term **"firearm"** means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion, or other form of combustion. The term also includes any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material and not designed for emergency or distress signaling purposes.

D. As used herein, the term **"firearm ammunition"** means any projectiles with their fuses, propelling charges, or primers fired from weapons, and any of the individual components thereof, including, but not limited to, black powder and reloading primers.

E. As used herein, the term **"engaged in the business of selling firearms or firearm ammunition"** means the selling, leasing or transferring of firearms or firearm ammunition. No person shall be "engaged in the business of selling firearms or firearm ammunition" within the meaning of this chapter if she or he is not required to obtain a permit to sell firearms or firearm ammunition (munitions) pursuant to Chapter 9.72 of the Berkeley Municipal Code, or if she or he is an auctioneer or auction company required to maintain a bond or deposit pursuant to California Civil Code Section 1812.600 or any successor statute.

Chapter 9.72 Firearms Dealers

Section 9.72.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

A. "Firearm" means any device, designed to be used as a weapon, or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

B. "Munitions" means any projectile or explosive substance for use with any firearm.

C. "Firearms or munitions dealer" means a person engaged in the business of selling, transferring, or leasing of any firearm or munitions pursuant to a Bureau of Alcohol, Tobacco and Firearms Federal Firearms License of types 1, 2, 6, 7, 8, 9, 10, or 11, or pursuant to Penal Code Section 12071(a)(1).

Section 9.72.030 Permit required for the sale of firearms or munitions in addition to business license, zoning or other local permits.

No person, partnership, cooperative, corporation, firm or association shall engage in the business of operating or managing any business which sells, transfers, leases or offers, advertise for sale, transfer, or lease any firearm or munitions without first obtaining a firearms dealer’s permit from the Chief of Police of the Berkeley Police Department as set forth herein. The permit required by this chapter shall be in addition to any other permits required by law. In addition, any person subject to the permit requirements imposed by this chapter shall comply with all other provisions of law including but not limited to the Chapter 9.73 prohibiting the sale of Saturday Night Specials. Compliance with such provisions of law shall be deemed an implied condition of any permit issued by the City and failure to comply with such laws shall be grounds to revoke or deny a permit under this chapter.

Section 9.72.040 Manner of application--Fees.

An application for a permit under this chapter shall be filed with the Chief of Police under penalty of perjury on a form to be specified by the City. The application shall provide all relevant information to demonstrate the applicant's compliance with this chapter including:

(1) The applicant's name, including any aliases or prior names, age and address;

(2) The applicant's Federal Firearms License and California Firearms Dealer numbers;

(3) The address of the proposed location for which the permit is sought, together with the business name, and the name of any corporation, partnership, or association that has any ownership in, or control over, the business, if any;

(4) The names, ages, and addresses of:

> **(A)** All persons who will have access to or control of workplace firearms, including but not limited to, the applicant's employees, agents and/or supervisors, if any;
>
> **(B)** All persons possessing, directly or indirectly, the power to direct or cause the direction of the management or policies of the corporation, partnership, or association, as they relate to the firearms business (i.e., officers, directors, partners, etc.). The purpose of this provision is to address business entities selling firearms, and to require background checks of people who could essentially have access to or control over firearms due to their position or authority over the applicant or store manager.

(5) Proof of a possessory interest in the building and property at which the proposed business will be conducted, in the form of ownership, lease, license or other entitlement to operate at such location, and, if the applicant is not the owner of record of the building within which, and the real property upon which, the applicant's business is to be located and conducted, the written consent of the owner of record of such buildings and/or real property that the applicant may sell, lease and transfer firearms;

(6) A floor plan of the proposed business which illustrates the applicant's compliance with security provisions of Section 9.72.070 of this chapter;

(7) Proof of the issuance of a land use permit at the proposed location;

(8) Proof of compliance with all applicable federal, state and local licensing laws;

(9) (a) A list of every application for a license or permit to sell, lease, transfer, purchase, or possess firearms which were sought by the applicant from any jurisdiction in the United States, **(b)** for each such prior application, the date of each application and whether it resulted in the issuance of a license or permit; **(c)** for each such prior license or permit, the date and circumstances of any revocation or suspension;

(10) The applicant's agreement to indemnify, defend and hold harmless the City, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pursuant to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of the applicant, or the applicant's officers, employees, agents and/or supervisors;

(11) Certification of satisfaction of insurance requirements specified in Section 9.72.120;

(12) The date, location and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(13) The following individuals shall provide fingerprints, a recent photograph, a signed authorization for the release of records pertinent to the application:

> **(a)** The applicant;
>
> **(b)** All persons who will have access to or control of workplace firearms, including but not limited to, the applicant's employees, agents and/or supervisors, if any;
>
> **(c)** All persons possessing, directly or indirectly, the power to direct or cause the direction of the management or policies of the corporation, partnership, or association, as they relate to the firearms business (i.e., officers, directors, partners, etc.).

The application shall also include a certification by the City Planning Department of the City of Berkeley that the applicant's business will not be located in a zoning district in which the operation of a firearms business is prohibited by law. The applicant shall provide all information requested including the proof of compliance with all applicable federal, state, and local law when required by the Chief of Police, or the application will not be deemed complete. The application shall be accompanied by the fees established by resolution of the City Council for administering this chapter.

Section 9.72.050 City's right to investigation of any relevant facts.

The Chief of Police may cause to be conducted an investigation to determine whether the application meets all the requirements of federal, state and local law and may require any and all additional information from an applicant that is

deemed necessary to complete the investigation. Prior to issuance or renewal of the permit, the Chief of Police may cause to be conducted an inspection of the premises to ensure compliance with this chapter. The Chief of Police may grant or renew a law enforcement permit if the applicant is in compliance with this chapter and all other applicable federal, state and local laws. (Ord. 6519-NS, 1999)

Section 9.72.060 Grounds for permit denial or revocation.

The Chief of Police shall give the applicant a written notice of the Chief's decision to deny the application. The notice shall set forth the ground or grounds for the Chief of Police's decision. The Chief of Police shall deny the issuance of a permit or shall revoke an existing permit when any of the following conditions exist:

A. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, is under 21 years of age.

B. The applicant is not licensed as required by all applicable federal, state, and local laws.

C. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, has had a permit or license to sell, lease, transfer, purchase, or possess firearms or munitions previously revoked or denied for good cause within the immediate preceding five years for failure to operate its business in compliance with the requirements of federal, state or local law including any conditions imposed by such laws.

D. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, has made a false or misleading statement of a material fact or an omission of a material fact in the application for a permit.

E. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, has been convicted of the following:

1. Any offense which disqualifies the person convicted from owning or possessing a firearm under applicable federal, state, and local laws.

2. Any offense related to the manufacture, sale, possession, or registration of any firearm or dangerous or deadly weapon.

3. Any offense involving the use of violence upon the person of another.

4. Any offense involving theft, fraud, dishonesty, or deceit.

5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code Section 11007 as said definition now reads or may hereafter be amended to read.

F. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, is an unlawful user of any controlled substance as defined by the California Health and Safety Code Section 11007 as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a dealer in firearms.

G. The applicant, or any officer, employee, or agent thereof who will have access and control over firearms, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in firearms.

H. The operation of the business as proposed will not comply with all applicable federal, state, and local laws.

I. The applicant, or any officer, employee, or agent thereof, proposes to operate the business in a location where such use is prohibited by the City of Berkeley Zoning Ordinance or has not been approved by the Zoning Officer or the Zoning Adjustments Board.

J. The applicant, or any officer, employee, or agent thereof, is not the owner of record of the real property at which the business is to be conducted, nor has a lease, license, or other entitlement to operate such business at such location and the written consent of the owner of record of such real property.

K. The premises at which such business is to be operated do not contain the security measures required by 9.72.070 of this chapter.

L. Any other grounds for denial that exist as specified in the Berkeley Municipal Code. (Ord. 6519-NS, 1999)

Section 9.72.070 On site security.

Every firearm that is kept in the permitted place of business shall be stored using one of the following methods set forth in Penal Code Section 12071(b)(14). Failure to fully comply with the requirements of one of these methods is sufficient cause for denial or revocation of the law enforcement permit by the Chief of Police. The three permitted methods are detailed in subsections (A), (B) and (C), respectively:

(A) Store the firearm in a secure facility that is part of, or that constitutes, the permittee's business premises. A secured facility means a building that meets all of the following specifications, pursuant to Penal Code Section 12071(c)(3):

(1) All perimeter doorways shall meet one of the following:

(a) A windowless steel security door equipped with both a dead bolt and a doorknob lock; or

(b) A windowed metal door that is equipped with both a deadbolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating or at least nine gauge affixed to the exterior or interior of the door; or

(c) A metal grate that is padlocked and affixed to the permittee's premises independent of the door and door frame;

(2) All windows are covered with steel bars;

(3) Heating, ventilating, air-conditioning and service openings are secured with steel bars, metal grating, or an alarm system;

(4) Any metal grates have spaces no larger than six inches wide measured in any direction;

(5) Any metal screens have spaces no larger than three inches wide measured in any direction;

(6) All steel bars shall be no further than six inches apart.

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(C) Store the firearm in a locked fireproof safe or vault in the permittee's business premises.

Section 9.72.080 Permit issuance, conditions--Terms--Right to inspect premises and records.

Any permit issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the Chief of Police and denial of any application to renew a permit or to obtain a future permit:

A. The business shall be carried on only in the building located at the street address shown on the City of Berkeley permit;

B. The permittee shall observe all federal, state and local constraints on the operation of the permitted business including but not limited to California Penal Code Sections 12072(b), 12073, 12074, 12077, and 12082, to the extent that the provisions remain in effect;

C. The permittee shall keep complete and current records of all firearms transactions. In addition to the requirements in California Penal Code Sections 12073, 12076, and 12077, permittee must also keep a complete current inventory of all firearms in stock. This inventory shall include an entry for each weapon, with the classification, serial numbers, and any other information that is necessary or helpful in tracking the weapon;

D. Whenever prospective purchasers of firearms or supplies therefor conduct themselves in a manner which would lead a reasonable person to conclude that the purchasers may be intending to use the firearms to harm themselves or others, the permittee, or any officer, employee, or agent thereof who will have access and control over firearms, shall inquire further into the reasons for such purchases. If the inquiry provides evidence which would confirm to a reasonable person, under similar circumstances, that the purchasers intend to use the firearms to harm themselves or others, the permittee, officer, agent or employee thereof shall decline to sell such prospective purchasers the firearms or supplies;

E. The permittee consents to the City's inspection of the business premises and records in order for the City to establish continued compliance with the terms of the permit;

F. The permit shall not become effective until the permittee has obtained all other permits required by federal, state or local law including but not limited to a business license and zoning and building permits;

G. The law enforcement permit, or a certified copy of it, shall be displayed on the premises where it can be easily seen;

H. The permittee shall not permit any person under 18 years of age to enter or remain within the premises without being accompanied by his or her parent or legal guardian where firearm sales activity is the primary business performed at the site;

I. The permittee shall mail or deliver a copy of each Dealer Record of Sale (DROS) form to the Chief of Police within seven days of the transfer of any firearm.

Section 9.72.090 Permit duration--One year--Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance or automatically upon revocation or expiration of permittee's Federal Firearms License, whichever is earlier. Such permits may be renewed by the Chief of Police for additional periods of one year upon the approval of an application for renewal by the Chief of Police

and payment of the renewal fee established by City Council resolution. A completed application for renewal shall be submitted to the Chief of Police at least 45 days prior to the expiration of the current permit or else the permit shall expire at the expiration of its term. Renewal of the permit is contingent upon all the terms and conditions of the original application and permit, as detailed in this chapter. The renewal application includes, but is not limited to, a new investigation by the Chief of Police and background verification for the applicant and any employee, officer, or agent of the applicant. If the application is submitted in a timely manner, the permit to operate shall continue in effect until two weeks after the Chief of Police mails written notice to the applicant denying renewal. The City of Berkeley permit shall be granted conditionally upon the applicant providing proof of a valid Federal Firearms License; the permit will not become effective until applicant shows proof of compliance with all applicable California state regulatory laws.

Section 9.72.100 Permit assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 9.72.110 Permit--Grounds for revocation.

In addition to any other basis for revocation set forth in this chapter, any circumstances constituting grounds for denial shall also constitute grounds for revocation. Such revocation shall only occur after notice and an opportunity to respond in writing to the intention to revoke and written notice of the revocation.

Section 9.72.120 Permit--Liability insurance.

No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the City deems proper, executed by an insurance company approved by the City whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the theft, sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, of any firearm. The minimum liability limits shall not be less than one million dollars for damage to or destruction of property in any one incident, and one million dollars for the death or injury to any one person. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, addressed in care of the Chief of Police, 2171 McKinley Street, Berkeley, California, 94703, at least 30 days immediately prior to the time such cancellation becomes effective. Upon expiration of any such policy and if no additional insurance has been secured prior to the expiration thereof in the manner provided for the initial securing of a permit under this chapter, the permit shall be deemed canceled without further notice or opportunity to be heard.

Section 9.72.130 Permit--Authority to inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, and health regulations, as well as the provisions of this chapter. A police investigator may conduct compliance inspections to ensure conformance with all federal, state, and local laws, and the provisions of this chapter. Permittees shall maintain all records, documents, and firearms in a manner and place accessible for inspection by Police Department personnel.

Section 9.72.140 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearms on the effective date of this chapter shall have a period of 60 days after such effective date to comply with the provisions of this chapter. Nothing in this section shall, however, require the City to delay enforcement of any other provision of law.

Section 9.72.145 Severability clause.

If any article, section, subsection, sentence, clause or phrase, of this chapter is for any reason declared unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or the effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity or ineffectiveness of any one or more of its articles, sections, subsections, sentences, clauses or phrases.

Section 9.72.150 Violation--Misdemeanor.

Any person who conducts a business in violation of this chapter shall be guilty of a misdemeanor.

Title 13 Public Peace, Morals and Welfare
Chapter 13.75 Duty to Report Theft or Loss of Firearms

Section 13.75.020 Berkeley residents--Duty to report theft or loss of firearms--Exemptions.

A. All persons residing in Berkeley who own or possess a firearm (as defined in Penal Code Section 12001(b) or as amended) shall report the theft or loss of such firearm to the Berkeley Police Department within 48 hours of becoming aware of such theft or loss.

B. Persons licensed to sell or manufacturer firearms pursuant to Penal Code Sections 12071 or 12086 are exempt from this chapter, if the firearm lost or stolen was business merchandise, was lost or stolen from their firearm-related business, or was in their possession pursuant to Penal Code Section 12082.

Section 13.75.030 Severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason declared unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or the effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity, or ineffectiveness of any one or more of its sections, subsections, sentences, clauses, or phrases.

Section 13.75.040 Violation -- Infraction.

Any person violating any provision of this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of this code.

Sub-Title 23C General Provisions Applicable in All Districts
Chapter 23C16 Home Occupations

Section 23C.16.010 Home Occupations.

Use of a Dwelling Unit, but rather shall be considered a lawful Incidental Use thereof.

B. No Home occupation which involves a firearm/munitions business may be allowed.

Sub-Title 23E Provisions Applicable in All Non-Residential Districts
Chapter 23E.36 C-1 General Commercial District Provisions

Section 23E.36.030 Uses Permitted.

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.36.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.40 C-N Neighborhood Commercial District Provisions

Section 23E.40.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.40.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to

Chapter 23E.44 C-E Elmwood Commercial District Provisions

Section 23E.44.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.44.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.48 C-NS North Shattuck Commercial District Provisions

Section 23E.48.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.48.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.52 C-SA South Area Commercial District Provisions

Section 23E.52.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.52.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.56 C-T Telegraph Avenue Commercial District Provisions

Section 23E.56.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.56.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.60 C-SO Solano Avenue Commercial District Provisions

Section 23E.60.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.60.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Chapter 23E.64 C-W West Berkeley Commercial District Provisions

Section 23E.64.030 Uses Permitted

A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Table 23E.64.030 Use and Required Permits

Use	Classification	Special Requirements (if any)
Retail Sales		
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use

Sub-Title 23 F Definitions
Chapter 23F.04 Definitions

Section 23F.04.010 Definitions.

For the purposes of this chapter certain terms used herein are defined as follows:

Firearm/Munitions Business: Any establishment which sells, transfers, leases or offers for sale, transfer or lease any gun, ammunition, munitions, gun powder, bullets, ordnance or other firearm or firearm parts or supplies.

Big Bear Lake Code of Ordinances
Codified through (Covering Ordinances through 2018-463) (Supp. No. 20-9-18)

Title 9 Public Peace, Morals and Welfare
Division VIII Weapons
Chapter 9.92 Firearms

Section 9.92.060 Purchase.

No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of eighteen years, a revolver or pistol of any description, shotgun, or rifle, which may be used for the explosion of cartridges, or any airgun, B-B gun, gas-operated gun or spring gun, or any knife or knives having the appearance of a pocketknife, the blade or blades of which can be opened by a flick of a button, pressure of the handle or other mechanical devices; or any instrument, toy or weapon commonly known as a sling shot, or any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name. Any such weapon possessed in violation of this chapter may be confiscated by any peace officer.

Section 9.92.070 Possession by minors prohibited, Exceptions.

No person under the age of eighteen years shall have in his possession, care, custody or control, any of the articles mentioned in Section 9.92.060 except within his own domicile or except when accompanied by and under the immediate supervision of a parent, guardian or responsible adult. This section shall not apply to any person possessing a valid California hunting license.

Section 9.92.080 Disposition of confiscated firearms.

Every peace officer taking a weapon used in violation of this chapter, shall deliver the same to the sheriff to be held by him until the final determination of the prosecution for the offense; and upon the finding of guilt it shall then be the duty of the sheriff on a first offense to return the weapon to the owner and on a second offense the sheriff is authorized to confiscate and destroy it.

Section 9.92.110 Violation, Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the city jail not exceeding six months, or by both such fine and imprisonment.

Title 17 Land Use
Chapter 17.03 General Procedures

Section 17.03.270 Home occupation permit.

D. Mandatory Conditions of Operation.

17. No home occupation shall include the sale or storage of fire arms, ordnance, ammunition or other weapons which are regulated by the Bureau of Alcohol, Tobacco and Firearms, at the site of the home occupation.

Chapter 17.35 Commercial and Public Zones

Section 17.35.030 Principal uses permitted in commercial and public zones.

A. Principal uses permitted within commercial and public zones shall be those included on Table 17.35.030.A. In the event that a determination is requested as to whether a principal use is permitted in the commercial and public zones which is not listed on Table 17.35.030.A, the reviewing authority shall make that determination in accordance with Section 17.03.210.

B. Where Table 17.35.030.A indicates that a use is permitted subject to a specific land use approval process, procedures for that approval process set forth in Chapter 17.03 shall be followed. Where Table 17.35.030.A indicates that a use is subject to special development standards contained in this chapter, the applicable sections of this chapter shall be referenced in review and approval of said use.

C. This section shall not be construed to supersede more restrictive use regulations in the conditions, covenants and restrictions of any property or dwelling unit.

Table 17.35.030.A Principal Uses Permitted In Commercial and Public Zones

Uses By Zone District	C-1	C-2	C-3	C-4	C-5	P
Retail sale of goods serving the general public with all operations conducted in an enclosed building, including but not limited to the following:						
Firearms and ammunition [4]	—	CUP	—	—	—	—

CUP =permitted subject to approval of a conditional use permit pursuant to Section 17.03.170.

[4] Subject to special requirements set forth in Table 17.35.050.A (General Development Standards); Section 17.35.220 (Development Standards for Large Retail Uses), and Section 17.03.330 (Transitional Uses and Structures)

Biggs Code of Ordinances

Codified through Ordinance No. 2018-02, adopted May 1, 2018) (Supp. No. 25, 5/18)

Title 14 Zoning

Chapter 14.300 Commercial Use Table

Section 14.300.010 Purpose.

The purpose of the commercial use table is to clearly and precisely designate permitted uses and conditional uses within each of the following districts:

D-MU Downtown Mixed-Use Zoning District

C-G General Commercial Zoning District

C-O Office Commercial Zoning District

Section 14.300.020 Designation of uses.

With regard to the commercial use table, an “X” indicates that the described use is permitted in the district represented by the symbol at the top of the column. A “U” indicates that the described use requires a use permit in the district represented by the symbol at the top of the column. The absence of an “X” or “U” indicates that the particular use is prohibited in such a district. If a use is not listed on the table, the city planner, upon application, shall determine and recommend to the planning commission whether or not such use is similar in character to a described use for the purposes of applying district regulations and special conditions.

Section 14.300.030 Commercial use table.

A = Administrative Permit, U = Use Permit; X = permitted use, Blank = not allowed	D-MU	C-G	C-O
Commercial Uses			
Gun shop		X	U

Brawley Code of Ordinances

Codified through Ordinance No. 2018-02, adopted May 1, 2018) (Supp. No. 25, 5/18)

Title 19 Offenses. Miscellaneous

Section 19.7-1 Firearms.

(a) Definition. "**Firearm**" is defined, for purposes of this section, as a gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun or any other weapon of similar kind designed to discharge a projectile propelled by the expansion of a gas.

(d) Possession by minors-Prohibited. It shall be unlawful for any person under the age of eighteen years to have in his possession in a public place any firearm, except as hereinafter provided.

1. When under charge of an adult. When such minor is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of such minor;

2. Unloaded guns. When the firearm is unloaded and either:

a. In a dismantled or "take-down" condition; or

b. Completely wrapped or in a carry case made for the purpose of carrying such firearm.

(e) Violations. Any person violating any of the provisions of this section and any parent or guardian of a minor person under the age of eighteen years who knowingly permits or allows any such minor to do any act in violation of the prohibitions of this section shall be deemed guilty of an infraction.

Buelton Code of Ordinances
Codified through Ordinance No. 18-02 and the October 2018 code supplement.

Title 19 Zoning
Chapter 19.06 Specific Use Requirements

Section 19.06.100 Home occupations.

11. The following uses by their operation or nature may interfere with residential welfare and diminish the convenience intended for commercial zones, and therefore shall not be permitted as home occupations:

e. Gun or ammunition sales, including by mail order,

Buena Park Code of Ordinances
Codified through Ordinance No. 1643 and the July 2018 code supplement.

Title 8 Health, Safety and Welfare
Chapter 8.36 Miscellaneous Offenses

Section 8.36.040 Minors under eighteen—Firearms prohibited.

No person under the age of eighteen years shall use or have in his or her possession any firearm, spring gun, air rifle, slingshot or ammunition within the city.

Section 8.36.050 Furnishing firearms to minors prohibited.

No person shall give, sell or loan to any person under the age of eighteen years any firearm, spring gun, air rifle, slingshot or ammunition.

Burbank Code of Ordinances
Codified through Ordinance No. 18-3,906, passed August 14, 2018.

Title 5 Police and Public Safety
Chapter 3 Morals and Conduct

Section 5-3-807 Sale of Ammunition to minors.

No person shall sell, exchange, give or loan to any person under sixteen (16) years of age any ammunition, cartridge, shell, pellets, BB shot, shot or other missile designed for use in any firearm or spring or air gun or gas operated gun of any description. Shooting galleries and ranges may furnish ammunition to persons under sixteen (16) years of age to be expended at the gallery or range under the supervision of a responsible adult, provided the parent or guardian personally appears and consents in writing.

Section 5-3-808 Possession of firearms by minors.

A. No person under sixteen (16) years of age shall have in his possession any firearm, spring gun, air gun or gas operated gun, or ammunition for such weapons.

This section shall not apply to a minor under the age of sixteen (16) years when engaged in shooting as provided for in Section 5-3-803 of this article, or when traveling to and from any of the places mentioned in subsections 5-3-803A, B. and C of this article for the purposes of shooting.

C. Applicability: The preceding subsections A and B of this section shall be applicable to minors between sixteen (16) and eighteen (18) years of age, in possession of the items mentioned therein, without the consent of a parent or legal guardian.

Burlingame Code of Ordinances

Codified through Ordinance No. 1956 and the November 2018 code supplement.

Chapter 10 Public Peace, Morals and Safety
Chapter 10.48 Firearms, Air Guns, Slingshots and Fireworks

Section 10.48.010 Firing or possession of firearms or guns.

Except as otherwise provided in this chapter, it is unlawful for any person to have in his or her possession within the city, or fire or discharge, or cause to be fired or discharged within the city, any firearm, cannon, fireworks (as classified in accordance with Title 19, California Code of Regulations, Division 1, Chapter 6), gun, pistol, revolver, anvil, firecracker or explosive of similar nature, rifle, air rifle, air gun, BB gun or pellet gun.

Except as otherwise provided in this chapter, it is unlawful for any parent, guardian or person having the care, custody or control of any minor to permit such minor to have in his or her possession within this city, or to fire or discharge, or cause to be fired or discharged, within this city, any firearm, cannon, fireworks (as classified in accordance with Title 19, California Code of Regulations, Division 1, Chapter 6), gun, pistol, revolver, anvil, firecracker or explosive of similar nature, rifle, air rifle, air gun, BB gun or pellet gun, all referred to in Section 10.48.020 as firearms.

Section 10.48.020 Exceptions to prohibited firing or possession of firearms or guns.

The provisions of Section 10.48.010 as to the use of any firearms or fireworks mentioned therein shall not apply to any of the following cases:

(c) To the possession of such firearms for keeping at the place of residence or business of the person otherwise in lawful possession thereof, or while traveling to or from a legal firing, shooting or target range or hunting ground;

Butte County Code of Ordinances

Codified through Ordinance No. 4146, passed June 26, 2018. (Supp. No. 46)

Chapter 12 Licenses
Article II Specific Licenses Enumerated

Section 12-24 Retail firearm dealer's license.

In accordance with section 12070 of the California Penal Code, no person shall engage in the business of selling, leasing, transferring, advertising, offering, or exposing for sale, lease, or transfer of firearms unless he or she has been issued a license pursuant to section 120701 of the California Penal Code.

Engaging in the business of selling, leasing, or transferring of firearms does not include any of the following:

(1) The sale, lease, or transfer of any firearm by a person acting pursuant to a court order or pursuant to the Enforcement of Judgments Law (Title 9 (commencing with section 680.010) of part 2 of the Code of Civil Procedure), or by a person who liquidates a personal firearm collection to satisfy a court judgment.

(2) The sale, lease, or transfer of firearms by a person acting pursuant to subdivision (c) of section 12028 of the California Penal Code.

(3) The sale, lease, or transfer of a firearm by a person who obtains title to the firearm by interstate succession or by bequest, provided the person disposes of the firearm within sixty (60) days of receipt of the firearm.

(4) The infrequent sale, lease, or transfer, offering, exposing for sale, lease, or transfer, or advertising for sale, lease, or transfer of firearms.

(a) "**Infrequent**" means:

> **1.** For pistols, revolvers, and other firearms capable of being concealed upon the person, less than six (6) transactions per calendar year. For this purpose, "**transactions**" means a single sale, lease, or transfer of any number of pistols, revolvers or other firearms capable of being concealed upon the person.
>
> **2.** For firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, occasional and without regularity.

In accordance with section 12071 of the California Penal Code, the sheriff shall accept applications for, and may grant, licenses permitting the licensee to sell at retail within the county, any firearms.

Each application for a retail firearm dealer's license shall be accompanied by a fee to cover costs for processing fingerprints, said fee to be established by the department of justice with an additional twenty dollars ($20.00) to be charged for local processing fees. The fee shall not be returned in the event the license is subsequently revoked.

The sheriff may revoke the license in the event the licensee violated the provisions of section 12071 of the California Penal Code.

Calabasas County Code of Ordinances
Codified through Ordinance No. 3101, passed August 14, 2018. (Supp. No. 16, Update 2)

Title 17 Land Use and Development
Article II Zoning Districts and Allowable Land Uses
Chapter 17.11 Allowable Land Uses

Section 17.11.010 Permitted, conditional and ancillary land uses, all zoning districts.

A. Land Use Permit Requirements. The uses of land allowed by this development code in all of the zoning districts are identified in the following table as being:

1. A conditional use (identified with a "C" in the tables), means that a use is allowed subject to approval of a conditional use permit (Section 17.62.060).

Table 2-2 - Land Use Table

Key:

P=Permitted Use (See Chapter 17.62 for required permit)
C=Conditionally Permitted (CUP required)
A=Allowed as an Accessory Use
TUP=Temporary Use (TUP required)

Zone																		
Land Use	RS	RM	RMH	RR	RC	PD	HM	OS	OS-DR	PF	REC	CL	CR	CO	CMU	CB	CT	See standards in section
General Merchandise Stores																		
Guns and Ammunition Store													C					

Chapter 17.12 Standards for Specific Land Uses

Section 17.12.115 Home occupations.

2. Prohibited Home Occupation Uses. Business activities that are not compatible with or incidental to surrounding residential uses are prohibited as home occupations. The following may not be issued a home occupation permit as they are examples of incompatible or non-incidental business activities:

d. Gun or ammunition sales;

Calaveras County Code of Ordinances
Codified through Ordinance No. 3101, passed August 14, 2018. (Supp. No. 16, Update 2)

Title 12 Streets, Sidewalks and Public Places
Chapter 12.20 Recreation Areas

Section 12.20.210 Firearms, possession.

It is unlawful to carry or possess a firearm, gas-operated gun, bow and arrow, or other instrument capable of firing a projectile, except when in possession of a written permit permitting such carrying or possession issued by the park manager pursuant to rules adopted by him.

Title 17 Zoning
Article 4 Commercial and Economic Zones
Chapter 17.34 Local Commercial (C1) Zone*

Section 17.34.030 Conditional uses.

The following uses are permitted in the C1 zone upon approval and validation of a conditional use permit:

A. Retail uses:

1. Gun shop/gunsmith;

Calexico Code of Ordinances

Codified through Ordinance No. 1173, passed October 12, 2016. (Supp. No. 14, Update 1)

Title 9 Public Peace, Morals and Welfare
Chapter 9.36 Firearms

Section 9.36.050 Provision of trigger locks.

A. It is unlawful for any firearm dealer to sell, give, lend or transfer ownership any firearm without also providing with the firearm trigger locking or similar device approved by the chief of police. The trigger locking or similar device shall be designed to prevent the unintentional discharge of the firearm. The trigger locking or similar device shall be attached to the firearm prior to the completion of the sale, gift, lending or transfer transaction, and the firearm must leave the premises of the firearms dealer with the trigger locking or similar device attached. If a trigger locking or similar device cannot be attached because the firearm lacks a trigger guard, a lockable bag or box shall be used in lieu of a trigger locking or similar device. Nothing in this section shall prevent the firearms dealer from recovering the cost of the trigger locking or similar device by charging a price for the lock, either separately or as part of the price of the firearm.

B. It is unlawful for any firearm dealer to sell, give, lend or transfer ownership of any firearm, without providing with the firearm printed material, approved by the chief of police, that advises the user of safe firearm storage practices.

C. In connection with any sale, gift, loan or transfer of a firearm, the firearm dealer shall obtain from the person receiving the firearm a signed acknowledgment that a trigger locking or similar device is required by Section 9.36.050 of this Municipal Code, and the printed material required by subsection B of this section, has been provided with the firearm. The acknowledgment shall be in a form approved by the chief of police. The firearm dealer shall retain signed acknowledgments of receipt in the same manner and to the same extent as required by state law of other firearm transaction records.

D. A firearm dealer who has fully complied with the provisions of the section relating to trigger locking or similar devices shall not be presumed to have nude any representation to the transferee regarding the safety or appropriateness of the use of the trigger locking or similar device, nor shall the firearm dealer be liable in any civil action brought against the firearm dealer, to the extent such liability would be based solely upon the act of furnishing the trigger locking or similar device to a person in compliance with this section.

E. The requirements of this Section 9.36.050 shall be in force and effect, and shall apply to all firearms dealers now or hereafter licensed, ninety days after the date on which the chief of police sends written notice to all currently-licensed firearms dealers of the approved trigger locking or similar devices, printed safety material and form of acknowledgment.

F. The provisions of this section shall not apply to a temporary lending transaction in which the firearm does not leave the premises of the firearms dealer.

G. The requirements in Sections 9.36.050 A, B and C shall not apply to firearms that are curios or relics, as defined by federal law, Title 27 Code of Federal Regulations Section 178.

H. The requirements in Sections 9.36.050 A, B and C shall not apply to firearms dealers when they are involved in private party transfers conducted pursuant to California Penal Code Section 12082.

I. Any violation of this section shall be considered an infraction, punishable as per the "General Penalty" Section 1.24.010 of the Calexico Municipal Code.

California City Code of Ordinances

Codified through Ordinance No. 18-766, enacted August 28, 2018. (Supp. No. 6)

Title 4 Public Safety
Chapter 3 Firearms

Section 4-3.03 Use by minors.

Unless accompanied by, and under the direct care and control of an adult person, no person shall sell, give, loan, or furnish a firearm to a person younger than eighteen (18) years.

Calistoga Code of Ordinances

Codified through Ordinance No. 738, passed August 7, 2018.

Title 17 Zoning
Chapter 17.21 DC Downtown Commercial District

Section 17.21.030 Conditionally permitted uses.

A. The following uses require a conditional use permit in the DC district, pursuant to Chapter 17.40 CMC:

5. Firearm and ammunition sales.

Chapter 17.22 CC Community Commercial District

Section 17.22.030 Conditionally permitted uses.

A. The following uses require a conditional use permit in the CC district, pursuant to Chapter 17.40 CMC:

7. Firearm and ammunition sales.

Campbell Code of Ordinances

Codified through Ordinance No. 2233, passed May 15, 2018. (Supp. No. 30, 6/18)

Title 8 Public Peace, Safety and Morals
Chapter 8.12 Firearms

Section 8.12.045 Reporting of loss or theft of firearm.

It is unlawful for any person to fail to report to the Police Department the theft or loss of a firearm he or she owns or possesses within forty-eight hours of the time he or she knew or reasonably should have known that the firearm has been stolen or lost, if the person resides in the City of Campbell or the loss or theft occurs in the City of Campbell.

Pursuant to Penal Code 11108, the Police Department shall submit a description of each firearm which has been reported lost or stolen directly into the California Department of Justice automated property system for firearms.

Section 8.12.046 Exceptions.

Section 8.12.045 shall not apply to the following persons:

(1) Law enforcement officials while engaged in their official duties;

(2) Members of the Armed Forces of the United States or the National Guard while engaged in their official duties;

(3) Firearms dealers and manufacturers licensed under federal and state law while engaged in the course and scope of their activities as licensees.

Section 8.12.047 False reports.

No person shall report to any law enforcement officer, pursuant to Section 8.12.045 of this ordinance, that a firearm has been lost or stolen, knowing the report to be false.

Section 8.12.048

If any section, subsection, sentence or clause of this chapter is for any reason declared unconstitutional or invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity or the enforceability of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity or unenforceability of any one or more of its sections, subsections, sentences or clauses.

Title 9 Business Licenses and Regulations
Chapter 5.45 Sale of Firearms and Ammunition

Section 5.45.010 Definitions.

"Applicant" means any person who applies for a law enforcement permit, or the renewal of such a permit, to sell, lease or transfer firearms, firearm components, or ammunition.

"Chief of Police" means the Chief of Police or the Chief's designated representative.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion, provided that the term "firearm" shall not include an "antique firearm" as defined in section 921(a)(16) of Title 18 of the United States Code.

"Ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof, but shall not include blank cartridges or ammunition that can be used solely in an "antique firearm" as that term is defined in section 921(a)(16) of Title 18 of the United States Code.

"Permittee" means any person, corporation, partnership or other entity engaged in the business of selling, leasing, or otherwise transferring any firearm, firearm component, or ammunition, which person or entity has obtained a law enforcement permit to sell, lease or transfer firearms, firearm components, or ammunition.

To **"engage in the business of selling, leasing, or otherwise transferring any firearm, firearm component, or ammunition"** means to conduct a business by the selling, leasing or transferring of any firearm, firearm component, or ammunition, or to hold one's self out as engaged in the business of selling, leasing or otherwise transferring any firearm, firearm component, or ammunition, or to sell, lease or transfer firearms, firearm components, or ammunition in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

Section 5.45.020 Law enforcement permit.

It is unlawful for any person, corporation, partnership or other entity to engage in the business of selling, leasing, or otherwise transferring any firearm, firearm component, or ammunition within the City without a law enforcement permit, as required by this chapter.

Section 5.45.030 Application for permit.

(1) An applicant for a permit or renewal of a permit under this chapter shall file with the Chief of Police an application in writing, signed under penalty of perjury, on a form prescribed by the City. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter, including:

(a) The applicant's name, including any aliases or prior names, age and address;

(b) The applicant's federal firearms license and California firearms dealer numbers, if any;

(c) The address of the proposed location for which the permit is sought, together with the business name, and the name of any corporation, partnership or other entity that has any ownership in, or control over, the business;

(d) The names, ages and addresses of all persons who will have access to or control of workplace firearms, firearm components, or ammunition, including but not limited to, the applicant's employees, agents and/or supervisors, if any;

(e) A certificate of eligibility from the state Department of Justice under Penal Code Section 12071 for each individual identified in Section 5.45.030(1)(d) demonstrating that the person is not prohibited by state or federal law from possessing firearms or ammunition;

(f) Proof of a possessory interest in the property at which the proposed business will be conducted, as owner, lessee or other legal occupant, and, if the applicant is not the owner of record of the real property upon which, the applicant's business is to be located and conducted, the written consent of the owner of record of such real property to the applicant's proposed business;

(g) A floor plan of the proposed business which illustrates the applicant's compliance with security provisions, as outlined in Section 5.45.060 of this chapter;

(h) Proof of compliance with all applicable federal, state and local licensing and other business laws;

(i) The applicant's agreement to indemnify, defend and hold harmless the City, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pursuant to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of:

(1) The applicant;

(2) The applicant's officers, employees, agents and/or supervisors; or

(3) If the business is a corporation, partnership or other entity, the officers, directors or partners.

(j) Certification of satisfaction of insurance requirements, for applicants applying for a permit to sell firearms or firearm components;

(k) The date, location and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(2) The application shall be accompanied by a nonrefundable fee for administering this article as established by City Council resolution.

Section 5.45.040 Investigation by Chief of Police.

(1) The Chief of Police shall conduct an investigation to determine, for the protection of the public health and safety, whether the law enforcement permit may be issued or renewed.

(2) Prior to issuance or renewal of the permit, the Chief of Police may inspect the premises to ensure compliance with this chapter.

(3) The Chief of Police shall grant or renew a law enforcement permit if the applicant or permittee is in compliance with this chapter and all other applicable federal, state and local laws.

Section 5.45.050 Grounds for permit denial or revocation.

(1) The Chief of Police shall deny the issuance or renewal of a law enforcement permit, or shall revoke an existing permit, if the operation of the business would not or does not comply with federal, state or local law, or if the applicant or permittee:

(a) Is under twenty-one years of age;

(b) Is not licensed as a dealer in firearms under all applicable federal, state and local laws;

(c) Has made a false or misleading statement of a material fact or omission of a material fact in the application for a law enforcement permit, or in any other documents submitted to the Chief of Police pursuant to this chapter. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five years;

(d) Has had a license or permit to sell, lease, transfer, purchase or possess firearms or ammunition from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five years;

(e) Has been convicted of:

(1) An offense which disqualifies that person from owning or possessing a firearm under federal, state or local law, including, but not limited to, the offenses listed in Penal Code Sections 12021 and 12021.1;

(2) An offense relating to the manufacture, sale, possession or use of a firearm or dangerous or deadly weapon or ammunition;

(3) An offense involving the use of force or violence upon the person of another;

(4) An offense involving theft, fraud, dishonesty or deceit;

(5) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code;

(f) Is within a class of persons defined in Welfare and Institutions Code Sections 8100 or 8103; or

(g) Is currently, or has been within the past five years, an unlawful user of a controlled substance as defined by the Health and Safety Code.

(2) Where an applicant is applying for a law enforcement permit to sell, lease or transfer firearms, firearm components or ammunition within the first ninety days of the effective date of this Chapter, and where the applicant has a pre-existing firearms dealer business which complies with all applicable federal, state and local laws, or is not a firearms dealer but is already engaged in the sale of ammunition:

(a) The applicant's current employees, agents or supervisors may continue to have access to or control over workplace firearms, firearm components and ammunition pending the completion of the Chief of Police's investigation and background verification.

(b) Where one or more of the applicant's employees, agents or supervisors are found to be no longer eligible under the provisions of this chapter, the applicant shall have twenty-one days from the mailing of written notification from the Chief of Police to verify that such persons have been removed or reassigned so that they no longer have access to or control of workplace firearms, firearm components or ammunition. Failure of the applicant to comply with this subsection shall cause the Chief of Police to deny the application for a law enforcement permit.

(3) The law enforcement permit of any person or entity found to be in violation of any of the provisions of this chapter may be revoked.

(4) The Police Chief shall notify the applicant in writing of his determination to deny an application or revoke an existing application. The notice shall be sent by First Class United States Mail, postage prepaid to the applicant at the address provided by the applicant in the application. The notice shall state the reasons for the denial or revocation.

Section 5.45.060 On-site security.

(1) If the proposed or current business location is to be used at least in part for the sale of firearms or firearm components, the permitted place of business shall be a secure facility within the meaning of Penal Code Section 12071(c)(2).*

*A "**secure facility**" is defined by Penal Code 12071(c)(2) as a building that meets certain specifications, including: certain types of locks on all doorways; steel bars on all windows; and steel bars, metal grating, or an alarm system on all

heating, ventilating, air-conditioning, and service openings. State law allows a firearms dealer to avoid these requirements by utilizing other security features. See Penal Code 12071(b)(14). Penal Code 12071(b)(15) explicitly allows local jurisdictions to impose security requirements on firearms dealers that are stricter or at a higher standard than those imposed by state law.

(2) If the proposed or current business location is to be used at least in part for the sale of firearms or firearm components, all heating, ventilating, air-conditioning, and service openings shall be secured with steel bars or metal grating.

(3) Any time a permittee is not open for business, every firearm or firearm component shall be stored in one of the following ways:

(a) In a locked fireproof safe or vault in the licensee's business premises that meets the standards for a gun safe implemented by the Attorney General pursuant to Penal Code Section 12088.2; or

(b) Secured with a hardened steel rod or cable of at least one-fourth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five firearms may be affixed to any one rod or cable at any time.

(4) Any time a permittee is open for business, every firearm shall be unloaded, inaccessible to the public and secured using one of the following three methods, except in the immediate presence of and under the direct supervision of an employee of the permittee:

(a) Secured within a locked case so that a customer seeking access to the firearm must ask an employee of the permittee for assistance;

(b) Secured behind a counter where only the permittee and the permittee's employees are allowed. During the absence of the permittee or a permittee's employee from the counter, the counter shall be secured with a locked, impenetrable barrier that extends from the floor or counter to the ceiling; or

(c) Secured with a hardened steel rod or cable of at least one-fourth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five firearms may be affixed to any one rod or cable at any time.

(5) Any time a permittee is open for business, every firearm component, and any ammunition that is not principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code 12001(a), shall be inaccessible to the public and secured using one of the methods mentioned in subsection (4)(a) or (b), except in the immediate presence of and under the direct supervision of an employee of the permittee.*

*Penal Code 12061(a)(2) addresses the storage of handgun ammunition by sellers. That provision is effective January 1, 2010. See AB 962 (De Leon). "Handgun ammunition" is defined as ammunition principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code 12001(a). Penal Code 12060(b).

(6) The permitted business location shall be secured by an alarm system that is installed and maintained by an alarm company operator licensed pursuant to the Alarm Company Act, Business & Professions Code Sections 7590 et seq. The alarm system must be monitored by a central station listed by Underwriters Laboratories, Inc., and covered by an active Underwriters Laboratories, Inc. alarm system certificate with a #3 extent of protection, or system that provides a comparable level of protection.*

*Underwriters Laboratories, Inc. uses the term "**extent of protection**" to refer to the amount of alarm protection installed to protect a particular area, room or container. Systems with a #3 extent of protection include complete protection for all accessible openings, and partial motion and sound detection at certain other areas of the premises. For more information, see Central Station Alarm Association, A Practical Guide to Central Station Burglar Alarm Systems (3rd ed. 2005).

(7) The permitted business location shall be monitored by a video surveillance system that meets the following requirements:

(a) The system shall include cameras, monitors, digital video recorders, and cabling, if necessary.

(b) The number and location of the cameras shall at a minimum, as determined by the Chief of Police, be sufficient in number and location to monitor the critical areas of the business premises, including, but not limited to, all places where firearms, firearm components or ammunition are stored, handled, sold, transferred, or carried, including, but not limited to, all counters, safes, vaults, cabinets, cases, entryways, and parking lots. The video surveillance system shall operate continuously, without interruption, whenever the permittee is open for business. Whenever the permittee is

not open for business, the system shall be triggered by a motion detector and begin recording immediately upon detection of any motion within the monitored area.

(c) In addition, the sale or transfer of a firearm, firearm component or ammunition shall be recorded by the video surveillance system in such a way that the facial features of the purchaser or transferee are clearly visible.

(d) When recording, the video surveillance system shall record continuously and store color images of the monitored area at a frequency of not less than fifteen frames per second.* The system must produce retrievable and identifiable images and video recordings on media determined by the Chief of Police to be able to be enlarged through projection or other means, and can be made a permanent record for use in a criminal investigation. The system must be capable of delineating on playback the activity and physical features of persons or areas within the premises.

*Television in the U.S. has 30 frames per second. However, 15 frames per second is generally described as viewable, and is used in similar regulations. See, e.g., 02-392-013 Me. Code R. 6(6).

(e) The stored images shall be maintained on the business premises of the permittee for a period not less than one year from the date of recordation and shall be made available for inspection by federal, state or local law enforcement upon request.

(f) The video surveillance system must be maintained in proper working order at all times. If the system becomes inoperable, it must be repaired or replaced within fifteen calendar days. The permittee must inspect the system at least weekly to ensure that it is operational and images are being recorded and retained as required.

(g) The permittee shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height: THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

(8) The Chief of Police may impose security requirements in addition to those listed in this section prior to issuance of the law enforcement permit if the Chief of Police finds that such requirements are necessary to provide adequate security. Failure to fully comply with the requirements of this section shall be sufficient cause for denial or revocation of the law enforcement permit by the Chief of Police.

Section 5.45.070 Liability insurance.

(1) If the proposed or current business location is to be used for the sale of firearms or firearm components, no law enforcement permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the City and executed by an insurance company approved by the City, insuring the applicant against liability for damage to property and for injury to or death of any person as a result of the theft, sale, lease or transfer or offering for sale, lease or transfer of a firearm, firearm component or ammunition, or any other operations of the business. The policy shall also name the City and its officers, employees and agents as additional insured's. The limits of liability shall not be less than one million dollars for each incident of damage to property or incident of injury or death to a person; provided, however, that increased limits of liability may be required by the City Counsel if deemed necessary to provide adequate coverage against potential claims.

(2) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until written notice has been given to the City Manager at least 30 days prior to the time the cancellation becomes effective.

(3) Upon expiration of the policy of insurance, and if no additional insurance is obtained, the law enforcement permit is considered revoked without further notice.

Section 5.45.080 Location of business premises.

(1) The business shall be carried on only in the building located at the street address shown on the permit. This requirement does not prohibit the permittee from participating in a gun show or event which is authorized by federal, state and local law upon compliance with those laws.

(2) The business shall not be located in any district or area zoned for residential use.

Section 5.45.090 Inventory reports.

Within the first five business days of April and October of each year, the permittee shall cause a physical inventory to be taken that includes a listing of each firearm and firearm component held by the permittee by make, model, and serial number, together with a listing of each firearm and firearm component the permittee has sold since the last inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is required to be reported pursuant to Penal Code Section 12071(b)(13). The permittee shall maintain a copy of the inventory on the premises for which the law enforcement permit was issued for a period of not less than five years from the date of the inventory and shall make the copy available for inspection by federal, state or local law enforcement upon request.

Section 5.45.100 Display of law enforcement permit.

The law enforcement permit, or a certified copy of it, shall be displayed in a prominent place on the business premises where it can be easily seen by those entering the premises.

Section 5.45.110 Issuance of law enforcement permit, Duration.

(1) The Police Chief shall notify the applicant of his determination on the application within thirty days from the date that a completed application was received by him. The notice shall be sent by First Class United States Mail, postage prepaid to the applicant at the address provided by the applicant in the application. If the Police Chief denies the application, the notice shall state the reasons for the denial.

(2) A law enforcement permit expires one year after the date of issuance. A permit may be renewed for additional one-year periods if the permittee submits a timely application for renewal, accompanied by a nonrefundable renewal fee established by City Council resolution. Renewal of the permit is contingent upon the permittee's compliance with the terms and conditions of the original application and permit, as detailed in this chapter. Police department personnel may inspect the permitted business premises for compliance with this chapter prior to renewal of the permit. The renewal application and the renewal fee must be received by the Police department no later than forty-five days before the expiration of the current permit.

(3) A decision regarding issuance or renewal of the law enforcement permit may be appealed in the manner provided in Section 5.45.180 of this chapter.

Section 5.45.120 Nonassignability.

A law enforcement permit issued under this chapter is not assignable. Any attempt to assign a law enforcement permit shall result in revocation of the permit.

Section 5.45.130 Compliance by existing businesses.

A person engaged in the business of selling, leasing, or otherwise transferring any firearm, firearm component, or ammunition on the effective date of this chapter shall, within ninety days of the effective date, comply with this chapter.

Section 5.45.140 Law enforcement inspections.

Permittees shall have their places of business open for inspection by federal, state and local law enforcement during all hours of operation. The Police department may conduct periodic inspections of the permittee's place of business without notice. Permittees shall maintain all records, documents, firearms, firearm components and ammunition in a manner and place accessible for inspection by federal, state and local law enforcement.

Section 5.45.150 Warning regarding secondary sales.

A permittee shall post conspicuously within the licensed premises the following warning in block letters not less than one inch in height: WITH FEW EXCEPTIONS, IT IS A CRIME TO SELL OR GIVE A FIREARM TO SOMEONE WITHOUT COMPLETING A DEALER RECORD OF SALE (DROS) FORM AT A LICENSED FIREARMS DEALERSHIP.

Section 5.45.160 Penalties.

(1) Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Each such person shall be guilty of a separate offense for each and every day during any portion of which a violation of any provision of this chapter is committed or continued by such person and shall be punishable accordingly.

(2) In addition to any other penalty or remedy, the City Council may authorize a civil action to seek enforcement of these provisions.

Section 5.45.170 Report of permit revocation to federal and state authorities

In addition to any other penalty or remedy, the Police Chief shall report any person or entity whose law enforcement permit is revoked pursuant to this chapter to the Bureau of Firearms of the California Department of Justice and the Bureau of Alcohol, Tobacco, Firearms & Explosives within the U.S. Department of Justice.

Section 5.45.180 Hearing for permit denial or revocation

(1) Within ten days of the Chief of Police mailing a written denial of the application or revocation of the permit, the applicant may appeal by requesting a hearing before the Chief of Police. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the Chief of Police shall set a time and place for the hearing within thirty days.

(2) Notice of the hearing shall be sent to the applicant, at the address stated on the application, by first class mail at least five days prior to the hearing. The notice shall state the date, time and place of the hearing. At the hearing the applicant may present any relevant evidence as to why his permit should not be denied or revoked.

(3) The Chief of Police shall provide a written decision regarding the appeal within fourteen calendar days of the hearing by First Class mail addressed to the applicant at the address on the application.

(4) An applicant may appeal the decision of the Chief of Police to the City Council within thirty days of receipt of the denial by submitting a written request for the appeal to the City Clerk. Notice of the hearing on the appeal shall be sent to the applicant, at the address stated on the application, by first class mail at least five days prior to the hearing. The notice shall state the date, time and place of the hearing. At the hearing the applicant may present any relevant evidence as to why his permit should not be denied or revoked.

(5) The City shall provide a written decision on the appeal within thirty days following the conclusion of the hearing by First Class mail addressed to the applicant at the address on the application.

Section 5.45.190 clause.

If any section, subsection, sentence or clause of this chapter is for any reason declared unconstitutional or invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity or unenforceability of any one or more of its sections, subsections, sentences or clauses.

Capitola Code of Ordinances

Codified through Ordinance No. 1022, passed August 8, 2018.

Title 5 Business Taxes, Licenses and Regulations

Chapter 5.32 Handgun Sales

Section 5.32.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

A. "Firearm" means any device, designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of any explosion or other form of combustion. The term "firearm" includes, but is not limited to: (1) the frame or receiver of any such weapon; and (2) any rocket, rocket-propelled projectile launcher or similar device containing any explosive or incendiary material, whether or not such device is designed for emergency or distress signaling purposes. The term "firearm" does not include an unloaded firearm which is defined as an "antique firearm" in Section 921(a)(16) of Title 18 of the United States Code or a curio or relic as defined in Section 178.11 of Title 28 of the Code of Federal Regulations.

B. "Clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides seller reasonable assurance of the identity and age of the purchaser.

C. "Firearms dealer" includes any business that sells, leases, transfers, advertises, or exposes for sale, lease, or transfer any firearm.

Section 5.32.030 License required.

No person shall engage in the business of selling, leasing, transferring, advertising, or offering or exposing for sale, lease, or transfer any firearm without first obtaining and keeping in current effect a license as required by this chapter. A separate license shall be required for each location at which sales, leases or transfers of such firearms, or offers therefor, take place. In addition, a separate license may be required for any employee engaged in the sale, lease or transfer of firearms, if the police chief determines that is necessary to fulfill the purposes of this chapter. Exceptions to this section are: (1) the exceptions set forth in Penal Code Section 12070(b); and (2) products designed for, and sold for the purpose of, marine emergency signaling.

Section 5.32.040 Application for license.

Each person applying for a license under this chapter shall submit an application to the Capitola police department. Where the applicant is a corporation, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized corporate officer of said corporation. Where the applicant is a partnership, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized general partner of said partnership. Both the individual and the corporation or partnership shall be liable for any violation of the provisions of this chapter. In addition, each employee of the applicant engaged in the sale, lease or transfer of firearms may be required to submit a separate application and adhere to each of the requirements contained in this chapter, at the discretion of the Capitola police chief.

The application shall be accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of the city council. The fee is to defray the cost of processing the application, and shall include the cost of processing noncriminal fingerprint cards. Each application shall specify only one location at which the sale or transfer of firearms shall take place. If a licensee changes his or her place of business, an application for the new location shall be submitted, accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of council. That application shall be considered an initial application and not an application for renewal.

Section 5.32.050 Approval by city council.

The city council shall have the authority to approve or not approve applications under this chapter. For the purpose of considering applications for licenses under this chapter, the city council shall apply the standards set forth in this chapter.

Section 5.32.060 Procedural requirements.

The applicant must comply with the following minimum requirements:

A. Possess a valid and current federal firearms license;

B. Pay the requisite permit fee to the police department;

C. Pay the requisite fingerprinting fee to police department;

D. Complete the application form provided by the Capitola police department;

E. Be fingerprinted at the police department;

F. Be photographed at the police department;

G. Provide clear evidence of his or her identity to the officer assigned to process the application;

H. Be interviewed at the police department by the officer assigned to process the application;

I. Supply or sign an authorization for release of pertinent records;

J. Submit the name, job title and job description, in addition to any other employee information sought in the application, for each employee of the applicant who will be engaged in the sale, lease or transfer of firearms. Fingerprinting may be required for each said employee, at the discretion of the Capitola police chief.

Section 5.32.070 Business site standards.

A. The business location must be in the community commercial zoning district, and in compliance with city building and fire codes and regulations.

B. The business site must be a permanent building having four solid walls and a roof; constructed of wood, metal, cement or like materials and resting on a foundation of cement, stone, brick or metal or similar materials commonly used in the construction of foundations for permanent buildings.

C. Building doors and windows must be alarmed with a system of any manufacture which will cause an audible alarm to sound on the exterior of the building or a silent alarm to be sent to a centralized monitored facility signalizing unauthorized entry during nonbusiness hours.

D. All inventory of an explosive or flammable nature must be stored in compliance with federal, state and city fire codes.

E. Inventory of firearms must conform to the type of federal firearms license issued to the permittee.

F. All firearms shall be kept in an approved locked metal safe, cabinet, or box during nonbusiness hours.

Section 5.32.080 Compliance with state law.

The business must comply with the following requirements of Section 12071 of the California Penal Code:

A. The business shall be carried on only in the building designated in the license.

B. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

C. No firearm shall be delivered within fifteen days of the application for purchase or within such other time period as set forth in Penal Code Section 12071.

D. No firearms shall be delivered unless the purchaser presents clear evidence of his or her identity.

E. No firearm shall be delivered unless it is unloaded and securely wrapped or unloaded and in a locked container.

F. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

G. The licensee shall post conspicuously within the licensed premises the following warning in block letters not less than three inches in height: “IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY ACCESS OF A CHILD, YOU MAY BE FINED OR IMPRISONED, OR BOTH, IF THE CHILD GAINS ACCESS TO, AND IMPROPERLY USES, THE FIREARM.”

Section 5.32.090 Approval of application – Fitness standards.

The Capitola city council shall have the sole discretion to approve or deny all applications for licenses brought pursuant to the provisions of this chapter. Before considering any such application, the Capitola police chief shall conduct an investigation of the applicant with respect to the criteria referenced in this section and any other criteria deemed pertinent by the chief and make a recommendation to the city council. Factors to be considered in the exercise of this discretion include:

A. Whether the applicant has fulfilled all requirements of this chapter;

B. Whether the applicant is under indictment for, is presently charged with, or has ever been convicted of any crime;

C. Whether the applicant has committed any unlawful act involving firearms;

D. Whether the applicant is, or ever has been, a fugitive from justice;

E. Whether the applicant is an unlawful user of any narcotic drug, depressant, stimulant drug or marijuana, or an excessive user of alcohol, to the extent that such use would impair his or her fitness to deal in firearms;

F. Whether the applicant suffers from any severe psychological disturbance which would impair his or her fitness to deal in firearms;

G. Whether the applicant has ever been committed to a mental institution, adjudicated as mental defective, or diagnosed as having a serious mental illness;

H. Whether the applicant has willfully violated any provisions of this chapter;

I. Whether the applicant has willfully made any false statements as to any material fact in applying for the license;

J. Whether the applicant has done any act which if done by a licensee would be grounds for suspension or revocation of the license;

K. Whether all employees of the applicant who would be engaged in the sale, lease or transfer of firearms meet the standards set forth in this chapter, pursuant to Section 5.32.040;

L. Whether the proposed business site meets all business site standards under Section 5.32.070;

M. In addition to the criteria set forth in this chapter for issuance of a firearms dealer permit, the council shall also consider: adjacent uses and structures; neighborhood integrity, character and compatibility; the benefits of the proposed dealership in comparison to its potential detriment to public welfare; and other potential applicable criteria as enumerated in Section 17.60.030 of this code.

Section 5.32.100 Maintenance and submission of records.

Each licensed dealer shall maintain records of importation, shipment, receipt, sale or other disposition of firearms and ammunition, and shall make such records available at all reasonable times, and shall submit to the licensing authority such reports and information upon reasonable request. The licensing authority may enter the premises (including places of storage) of any firearms or ammunition dealer during business hours for the purpose of inspecting or examining (1) any records or documents required to be kept; and/or (2) any firearms or ammunition kept or stored at such premises.

In addition, the licensee shall notify the Capitola police department, in writing, of any proposed change in business location; such relocation shall require a new application pursuant to Section 5.32.040.

Section 5.32.110 Denial of application.

If the applicant does not meet all written standards set forth in this chapter, the chief of police shall not issue a license to such applicant. It shall be the duty of the chief of police to notify an applicant that his or her application has been denied by serving such person, either personally or by first class United States mail, with a letter setting forth the reason or reasons for such denial. The notice, if served by mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the applicant’s address of record. The notice shall also inform the applicant of his or her right to a reconsideration by the chief of police if the applicant believes an erroneous determination has been made. A request for reconsideration may include a request for a hearing before the chief of police.

Section 5.32.120 License renewal.

Every license issued under this chapter shall expire one year from the date of its issuance. Licensees shall submit an application for renewal at least ninety days before the expiration of the license. If renewal is not timely, the application will be deemed an application for a new license pursuant to Section 5.32.040. Licensees who apply for renewal shall be

required to meet all standards specified in this chapter. The application for renewal of the license issued under this chapter shall be accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of the city council. The fee is to defray the cost of processing such renewal application. All of the procedures applicable to new applications shall apply to renewal applications.

Section 5.32.130 Licenses nonassignable.

Except as otherwise hereinafter provided, no license issued under this chapter may be sold, transferred or assigned by the licensee or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such license and such license shall thereafter be deemed terminated and void.

Section 5.32.140 Suspension and revocation.

Every license issued under this chapter shall be subject to summary suspension and revocation by the chief of police if he or she determines that:

A. The licensee has failed to meet any of the requirements specified under this chapter;

B. The licensee has violated any of the conditions or provisions which appear on the license;

C. The licensee has violated any federal or state firearms sales laws;

D. The licensee's federal firearms sales license has been revoked;

E. The licensee has committed any act which could have resulted in denial of issuance of license.

Section 5.32.150 Notification of suspension or revocation.

It shall be the duty of the chief of police or his or her designee to notify any licensee charged with any violation or misconduct, as described above, by serving such person, either personally or by first class United States mail, with a letter setting forth the particular written standard or condition which has been violated. The letter shall inform such licensee of the right to a hearing before the chief of police, at which time the licensee may appear with counsel if so desired and be heard in defense of the charges. The licensee shall also be given notice that any request for a hearing before the chief of police within ten days after the date on which notice is served on the licensee. The suspension or revocation shall be effective on the date the notice is served on the licensee unless the notice establishes a different date. Such notice, if served by United States mail shall be deemed to have been served on the date of its deposit in the United States mail postage prepaid, to the licensee's address of record. Failure on the part of the licensee to request in writing a hearing before the chief of police within ten days after the notice is served shall result in a permanent revocation of the license.

Section 5.32.180 Existing firearms dealers.

Firearms dealers legally transacting business in the city as of February 28, 2013 who had previously obtained a firearms dealer permit shall comply with all provisions of this code. If such existing dealers are located outside the community commercial district, such uses shall be considered legal nonconforming uses.

Section 5.32.190 Firearms security.

Every owner of a firearm in the city shall follow the safest and best practices for the securing of firearms in the home.

Title 8 Health and Safety
Chapter 8.68 Firearm Locking Deice Requirements

Section 8.68.010 Firearms dealer responsibilities.

All "dealers" (as defined in Penal Code Section 12071) and employees of "dealers" are prohibited from the following:

A. Selling, giving, lending or transferring ownership of, any firearm, without equipping that firearm with an effective trigger lock. "Effective" means a device, which has been approved by the chief of police as being adequate to prevent the unintentional discharge of the firearm.

B. Selling, giving, lending, or transferring ownership of, any firearm, without providing to the person to whom the firearm is transferred printed material that advises the user on safe storage practices.

Section 8.68.020 Penalty.

Any person violating Section 8.68.010 is punishable as provided in Section 1.01.090 and Title 4 of this code.

Title 9 Public Peace, Morals and Welfare
Chapter 9.20 Weapons

Section 9.20.015 Possession of firearms on city property or public property in the vicinity of a school prohibited.

A. Every person who brings a loaded or unloaded firearm onto, or possesses a firearm on, city property or public property in the vicinity of a school, is guilty of a misdemeanor.

B. As used in this section, the term "**city property**" means real property, including any buildings thereon, owned or leased by the city of Capitola, and in the city's possession, or in the possession of a public or private entity under contract with the city to perform a public purpose.

C. As used in this section, "**public property in the vicinity of a school**" means any publicly owned parcel of property with a parcel line that is within one thousand feet of a parcel line of a parcel that hosts a public or private elementary school, middle school or high school.

D. As used in this section, "city property" and "public property in the vicinity of a school" do not include any "local public building" as defined in Penal Code Section 171b(c) where and when the state regulates possession of firearms in those buildings pursuant to Penal Code 171b.

E. This section shall not apply to the following:

1. A peace officer as defined in Title 3, Part 2, Chapter 4.5 of the California Penal Code (Sections 830 et seq.);

2. A guard or messenger of a financial institution, a guard of a contract carrier operating an armored vehicle, a licensed private investigator, a patrol operator, or alarm company operator, or a uniformed security guard as those occupations are defined in Penal Code Section 12031(d) and who holds a valid certificate issued by the Department of Consumer Affairs under Penal Code Section 12033, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment;

3. A person holding a valid license to carry a firearm issued pursuant to Penal Code Section 12050;

4. The possession of a firearm by an authorized participant in a motion picture, television, video, dance or theatrical production or event, when the participant lawfully uses the firearm as part of that production or event; provided, that, when such firearm is not in the actual possession of the authorized participant, it is secured to prevent unauthorized use;

5. A person lawfully transporting firearms and ammunition in a motor vehicle on a city street;

6. A federal criminal investigator or law enforcement officer; or

7. A member of the military forces of the state of California or of the United States while engaged in the performance of his or her duty.

Section 9.20.020 Penalty for violation.

Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars, or by imprisonment for a period not exceeding one hundred days, or by both fine and imprisonment.

Chapter 9.22 Saturday Night Special Firearms

Section 9.22.010 Definitions.

A. For the purpose of subsection B, "**semi-automatic pistol**" means a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber, (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" does not include any assault weapons designated in California Penal Code Section 12276.

B. Except as provided in Section 9.22.020 herein, the term "**Saturday night special**," as used in this section, shall mean any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength;

2. A semi-automatic pistol which:

a. Is not originally equipped by the manufacturer with a locked-breech action; and

b. Is chambered for cartridges developing maximum permissible breech pressures above twenty-four thousand one hundred copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute;

3. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

a. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

b. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

c. Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger; or

d. If rimfire, is equipped with a barrel of less than twenty bore diameters in overall length protruding from the frame;

e. For purposes of this subsection, "**action mechanism**" shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded.

Section 9.22.020 Exclusions.

The term "Saturday night special" does not include any of the following:

A. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

B. Any pistol of which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

C. Children's pop guns or toys; or

D. An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12);or

E. Any pistol which has been modified to either, render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday night special.

Section 9.22.030 Roster of Saturday night specials.

The city manager or his or her designee shall compile, publish, and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the city manager or his or her designee determines fit the definition of Saturday night special set forth in Section 9.22.010.

Section 9.22.040 Notifications.

The city manager or his or her designee shall publish the roster of Saturday night specials on a semi-annual basis and shall send a copy of the roster to every dealer within the city who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the State of California.

Section 9.22.050 Sale prohibited.

No wholesale or retail firearms dealer licensed pursuant to California Penal Code Section 12071 shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday night specials: This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the state of California. This section shall not be enforced until the roster of Saturday night specials has been completed and published in accordance with Sections 9.22.030 and 9.22.040.

Section 9.22.060 Exemptions.

Nothing in this chapter relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by police departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or the United States for use in the discharge of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the above-mentioned persons in the performance of their official duties.

Section 9.22.070 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punished accordingly.

Carpinteria Code of Ordinances

Codified through Ordinance No. 724, adopted July 23, 2018. (Supp. No. 36, 8-18)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.32 Handgun Sales

Section 5.32.010 Handgun defined.

For the purposes of this chapter, the word "handgun" shall have the following meaning:

"Handgun" means pistols, revolvers and other firearms capable of being concealed upon the person, as defined in Section 12001 of the Penal Code.

Section 5.32.020 Purpose and intent, Licensing authority.

The purpose and intent of this chapter is to designate the city clerk of the city of Carpinteria as the duly constituted licensing authority to grant licenses permitting an applicant to sell handguns in this city pursuant to Title 2, Chapter 1, Article 4 of the California Penal Code.

Section 5.32.030 License, Application procedure.

Application for a license to sell handguns shall be made and conducted in the following manner:.

Application for license effective for one year from the date of issue shall be on forms made available by the city clerk and prescribed by the Attorney General of the state of California.

Section 5.32.040 License, Issuance and renewal conditions.

Upon payment of the fees fixed therefor in Section 5.32.070, and the obtaining of all other applicable fees and licenses, the city clerk shall issue and renew a license to sell handguns in the form prescribed by the Attorney General of the state of California pursuant to Penal Code Section 12071 if, and only if, all the following conditions are satisfied:

A. The applicant is eighteen years of age or over;

B. The applicant has not been convicted of any crime involving the illegal use or possession of any weapon described in Penal Code Section 3024(f) or Penal Code Section 12020;

C. The applicant has not been adjudicated a mentally incompetent person or has not been adjudicated to be a member of a class of persons subject to proceedings pursuant to the Lanterman-Petris-Short Act contained in Section 5001, et seq. of the Welfare and Institutions Code;

D. The applicant has not wilfully failed to disclose any material information required in the application;

E. The applicant has not made any false statement as to any material fact in connection with the application;

F. The applicant is not in violation, at the time of issuance or renewal of the license, of any of the provisions of this chapter, or of any conditions contained in any license to sell handguns previously issued to the applicant pursuant to this chapter, or contained in Penal Code Section 12071; and

G. The sale of handguns at the locations specified in the application is not prohibited by any provision of the zoning laws or ordinances of the city.

Section 5.32.050 License, Application, Approval or denial.

The city clerk shall approve or deny the application for the license to sell handguns within a thirty-day period commencing on the date such application is received. The city clerk shall provide the applicant with written notice of the grounds for his intended denial. If the city clerk fails to act within the thirty-day period specified in this section, the applicant may request that the city clerk hold a hearing thereon, and to approve or deny the application at the conclusion of each hearing.

Section 5.32.060 License, Revocation.

A. The city clerk shall revoke a license to sell handguns if the licensee violates any condition contained in this chapter, in Penal Code Section 12071, or in the license sought to be revoked.

B. The city clerk shall notify the licensee in writing of such revocation. The notice shall specify the grounds for revocation and the right of the licensee to apply for a hearing before the city clerk within five days after receipt of such notice.

A. C. If the city clerk revokes a license, the effective date of such revocation shall be stayed until notice pursuant to subsection B of this section and until the determination following any hearing requested by the licensee.

Section 5.32.070 License, Fee.

A. The license fee for this chapter shall be ten dollars.

B. Such fees are in addition to any other fees or taxes provided by this code or by law.

Carson Code of Ordinances
Codified through Zoning Text Amendment of 18-1817, passed October 2, 2018.

Article IV Public Peace
Chapter 3 Firearms and Dangerous Weapons

Section 4302 Minors – Selling or giving weapons to.

Except as otherwise provided in CMC 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, sling shot, or device designed to discharge, or capable of discharging, any dangerous missile.

Section 4303 Minors – Providing ammunition to.

Except as otherwise provided in CMC 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

Section 4310 Assault Weapons – Sale or possession prohibited.

(a) Subject to subsection (c) of this Section the term "**assault weapon**," as used in this Section, shall include:

(1) Any semi-automatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of twenty (20) rounds or more, including, but not limited to the following firearms or their copies: AR 15 semi-automatic assault rifles, Uzi semi-automatic assault rifles or carbines, Ingram Mac-10 semi-automatic assault carbines, Ingram Mac-11 semi-automatic assault carbines, Heckler and Koch 93 semi-automatic assault rifles, Heckler and Koch 91 semi-automatic assault rifles, AK-47 semi-automatic assault rifles, AKM-47 semi-automatic assault rifles, all Automat Kalashnikov weapons, M1-A semi-automatic assault rifles, M-14 semi-automatic assault rifles, Thompson semi-automatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

(2) Any shotgun with a barrel of less than eighteen (18) inches and a folding stock or magazine capacity of more than six (6) rounds;

(3) Any weapon which may be readily restored to an operable assault weapon, as defined above in subsections (a)(1) and (a)(2) of this Section; and

(4) Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined above in subsections (a)(1) and (a)(2) of this Section, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under control of the same person.

(b) As used in this Section, the term "**semi-automatic**" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

(c) The term "assault weapon" does not include any of the following:

(1) Any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by Section 12200 of the Penal Code of the State of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the State of California;

(2) Any of the following: weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single-shot weapons, multiple-barrel weapons, revolving cylinder weapons, semi-automatic weapons which use exclusively Mannlicher-style clips, semi-automatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;

(3) Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7), and (8) of subsection (b) of Section 12020 of the Penal Code of the State of California;

(4) Any short-barrelled rifle or shotgun as defined in subsection (c) of the Penal Code Section 12020; or

(5) Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(d) Except as specified in subsections (e), (f) and (g) of this Section, no person, including wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.

(e) Nothing in this Section shall prohibit the acquisition, possession, or disposition by police departments, sheriffs offices, marshals offices, the California Highway Patrol, other local, State and Federal law enforcement agencies, or the military and naval forces of this State or of the United States for use in the discharge of their official duties; nor shall anything in this Section prohibit the possession of assault weapons or magazines therefor by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of assault weapons is within the scope of their duties.

(f) The provisions of this Section shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the State of California or Section 2010 of the Fish and Game Code of the State of California.

(g) Notwithstanding the provisions of subsection (d) of this Section:

(1) Any person who obtains title to an assault weapon by request or intestate succession may retain possession for a period of time not to exceed six (6) months, and shall within that time transfer title of the weapon to a dealer licensed pursuant to Article 4 of the State of California Penal Code, commencing at Section 12250, or to the Los Angeles County Sheriffs Department or other police agency;

(2) An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use; and

(3) An assault weapon may be possessed by any Federal, State or local historical society, museum or institution collection which is open to the public provided any such weapon is properly housed, secured from unauthorized handling, and is unloaded.

Section 4311 Sellers of Firearm Ammunition.

(a) Definitions.

1. "**Chief of Police**" means the Captain of the Carson Sheriff's Station, of the Los Angeles County Sheriff's Department, or designee.

2. "**Firearm ammunition**" means any self-contained unit consisting of the case, primer, propellant charge, and projectile for use in pistols, revolvers, rifles, shotguns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion. "Firearm ammunition" shall not include blank ammunition used solely in the course of motion picture, television, video, or theatrical productions.

3. "**Residential neighborhood**" means any district of the City zoned for residential use or, if not so zoned, any street segment bounded by intersecting streets wherein over fifty (50) percent of the buildings on that street segment are used for residential purposes.

4. "**Vendor**" means any person who is engaged in the retail sale of firearm ammunition.

(b) Permit Required. No person shall engage in, manage, conduct, or carry on the business of the sales of firearm ammunition without a written permit from the Chief of Police.

(c) Fixed Location. Each vendor must have a fixed place of business. Sales of ammunition may be made only at said fixed location.

(d) Overlapping Business. If any person engages in, conducts, manages or carries on at the same time more than one (1) business requiring police permits, such person shall comply with all of the provisions affecting each business.

(e) Condition of Issuance. No permit or renewal permit for the sale of firearm ammunition shall be issued unless:

1. The applicant has obtained all other required permits for the operation of the business as proposed and has complied with all other applicable laws;

2. The applicant provides evidence of a possessory interest such as owner, lessee or renter, in the property at which the business is proposed to be conducted;

3. The proposed location of the business is in other than a residential neighborhood;

4. The applicant has obtained a policy of insurance as provided in subsection (f) of this section;

5. The applicant agrees to indemnify, defend and hold harmless the City, its officers, agents and employees, from claims arising from the negligence of the applicant or permittee.

(f) Insurance Requirements. The vendor shall maintain in full force and effect a policy of insurance on file with the Risk Manager. Such policy shall be executed by an insurance company admitted to do business in this state, and shall be in a form that the City deems proper. It shall insure the vendor against liability for damage to property and for injury to or the death of any person as a result of the sale, transfer or lease, or the advertising for sale, transfer or lease, or the offering or exposing for sale, transfer or lease, of any firearm ammunition. The policy shall also name the City and its officers, agents and employees as additional insureds. The minimum liability limit shall not be less than $1,000,000 for damage to or destruction of property in any one (1) incident, and $1,000,000 for the death or injury to any one (1) person; provided, however, that additional amounts may be required by the City if deemed necessary.

Such policy of insurance shall contain an endorsement providing that the policy will be continuous until canceled by a thirty (30) day written notice sent by registered mail to the City Risk Manager thirty (30) days in advance of the cancellation date. Prior to cancellation of any such policy, the vendor shall secure equivalent insurance. Failure to so do is grounds for revocation of the permit.

(g) Denial of Permit. Any applicant who is denied a permit shall be informed of the reasons for denial.

(h) Permit Valid for Issuance. When issued, the permit shall state on its face “Valid for Retail Sale of Firearm Ammunition.”

(i) Consent to Inspection. The acceptance of a permit to engage in the business of a firearms ammunition dealer constitutes consent to inspection of the books, records and business premises in the manner permitted by law and during ordinary business hours.

(j) Permit Assignment. The assignment or attempted assignment of any permit issued pursuant to this section, otherwise than in connection with a bona fide change of ownership, is unlawful and any such assignment or attempted assignment shall render the permit null and void.

(k) Permittee Responsible for the Conduct of Business. No firearm ammunition shall be sold or leased or offered for sale or lease or advertised for sale or lease by the vendor, nor shall the vendor otherwise conduct his or her business, in violation of the Penal Code of the State of California, this section or other applicable law.

(l) Conditions of Employment by Permittee. No officer, employee or agent of the vendor, hereinafter referred to collectively as “employee,” who will have access to or control of firearm ammunition shall:

1. Be under twenty-one (21) years of age;

2. Have had a Federal firearms license revoked or denied within the last year;

3. Be prohibited by law from owning, possessing or having custody or control of any firearm as defined in such law;

4. Have been convicted of any firearms or ammunition related offense within the last five (5) years.

(m) Recording of Information. The vendor shall comply with all requirements related to ammunition sales, as set forth in CMC 4312.

(n) Penalty. Violation of this section shall constitute a misdemeanor.

Section 4312 Requirements for Ammunition Sales.

(a) “**Firearm ammunition**” means any self-contained unit consisting of the case, primer, propellant charge, and projectile for use in pistols, revolvers, rifles, shotguns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion.

“Firearm ammunition” shall not include blank ammunition used solely in the course of motion picture, television, video, or theatrical productions.

(b) The term “**vendor**,” as used in this section, shall mean any person who is engaged in the retail sale of firearm ammunition and retail firearms dealers.

(c) No vendor shall sell or otherwise transfer ownership of any firearm ammunition to any person other than those listed in subsection (g) of this section without at the time of purchase recording the following information on a form to be prescribed by the Chief of Police:

1. The date of the transaction;

2. The name, address and date of birth of the transferee;

3. The transferee’s driver’s license or other identification number and the state in which it was issued;

4. The brand, type and amount of ammunition transferred;

5. The transferee’s signature; and

6. The name of the sales person who processed the transaction.

The vendor shall also at the time of purchase or transfer obtain the right thumbprint of the purchaser or transferee on the above-referenced form.

(d) No vendor shall sell or otherwise transfer ownership of any firearm ammunition without complying with all requirements of subsection (c) of this section in a face-to-face transaction.

(e) The records required by this section shall be maintained on the premises of the vendor for a period of not less than two (2) consecutive calendar years from the date of the recorded transfer. Said records shall be subject to inspection at any time during normal business hours.

(f) No person shall knowingly make a false entry in, or fail to make a required entry in, or fail to obtain the required thumbprint, or fail to maintain in the required manner records prepared in accordance herewith. No person shall refuse to permit a Los Angeles County Sheriff's Department employee to examine any record prepared in accordance with this section during any inspection conducted pursuant to this section, or refuse to permit the use of any record or information therefrom by the Los Angeles County Sheriff's Department.

(g) The requirements of subsection (c) of this section shall not apply when the purchaser is any of the following:

1. Any person described in Section 12302 or 12322 of the California Penal Code;

2. Any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer;

3. Any person who has been issued a permit to carry a concealed weapon under the authority of Section 12050 of the California Penal Code;

4. Any security guard licensed under the authority of Section 12033 of the Penal Code of the State of California;

5. Any firearms dealer who has been issued a Federal Firearms License, or a Certificate of Eligibility by the State of California; and

6. Any firearm ammunition vendor who has been issued a seller of ammunition police permit by the City of Carson.

(h) Violation of this section shall constitute a misdemeanor.

Article VI Taxes and Licenses
Chapter 3 Business, Professions and Trades
Part 1 General Provisions and Definitions

Section 6303 Definitions.

"Gun Dealer" is any person, firm, or corporation who sells or otherwise transfers to the public, any pistol, revolver or other firearm, new or used, capable of being concealed upon the person. "Gun Dealer" includes any person, firm or corporation who purchases, takes in trade, or accepts on consignment from the public, any firearm of any type, including, but not limited to, pistols, revolvers, rifles and shotguns.

Part 5 Businesses, Professions, Trades and Occupations Requiring a Permit

Section 63129.5 Gun Dealer.

Permit Fee $250.00. If a permit is granted to a gun dealer under this Part, it shall be subject to the following conditions, breach of any of which the permit shall be subject to forfeiture:

(a) The business shall be carried on only in the building designated in the license.

(b) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(c) No pistol or revolver shall be delivered:

(1) Within fifteen (15) days of the application for purchase, and when delivered shall be unloaded and securely wrapped; nor

(2) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

(d) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can be readily seen from the outside.

In addition to properly maintaining all records and documents required by State and Federal laws, a gun dealer upon purchasing, taking in trade, or accepting on consignment from the public, any firearm of any type, shall comply with Buy Form requirements enumerated in CMC 63141(a) through (g).

Upon the request of any peace officer, a gun dealer shall furnish all records pertaining to the gun dealer's transactions, including, but not limited to, all records required to be maintained by law, and shall permit an inspection of the licensed premises.

Cathedral City Code of Ordinances
Codified through Ordinance No. 814 and the July 2018 Code Supplement.

Title 5 Business Regulations
Chapter 5.32 Firearms Dealer Establishments

Section 5.32.020 General definitions.

A. The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings ascribed to them in this section:

"Ammunition" means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

"Applicant" means any person who applies for a firearms dealer establishment permit, or the renewal of such a permit.

"Certified copy" means a copy of a document that is certified by the issuer as being a true and accurate copy of the original document or a similar document bearing an original signature of the issuer.

"Certified statement" means a written assertion, claim or declaration bearing the original signature of the issuer.

"City" means the city of Cathedral City.

"City manager" means the city manager of the city of Cathedral City.

"Complete application" means an application which provides all of the requisite information required to be provided by an applicant pursuant to this chapter and is accompanied by the requisite application fees.

"Employee" means a person who works as an employee or independent contractor for any permittee, regardless of whether or not said person is paid a salary, wage or other compensation by the permittee.

"Establishment" means any of the following: (a) the opening or commencement of a firearms dealer related business as a new business or as an accessory use to an existing business, (b) the conversion of an existing business, whether or not it is a firearms dealer establishment, to any other type of firearms dealer establishment as defined in this chapter, (c) the relocation of any firearms dealer establishment to any other location, or (d) the substantial enlargement of an existing firearms dealer establishment.

"Filing date of application" means the date on which the city determines that a complete application has been submitted to the city by the applicant.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion.

"Firearms dealer" means any person who sells, leases or transfers firearms pursuant to Penal Code Section 12071(a)(1).

"On-site manager" means the person who supervises, directs or manages the employees.

"Operator" means any of the following: (a) the owner, (b) the permit holder, (c) custodian, (d) manager, or (e) person in charge of any firearms dealer establishment.

"Permit" means a firearms dealer establishment permit as required by this chapter which is a written license to engage in the practice of selling, leasing, or transferring firearms.

"Permittee" means the person in whose name a firearms establishment permit has been issued pursuant to this chapter.

"Person" means any of the following: (a) an individual, (b) a proprietorship, (c) a partnership, (d) a corporation, (e) an association, or (f) any other legal entity.

"Police chief" means the chief of the police department of the city of Cathedral City.

"Reception area" means the area of a firearms dealer establishment where customers enter the business, where customers are greeted and/or received by the operator and/or employees of said business, and/or where customers pay for merchandise.

"Transfer of ownership or control of a firearms dealer establishment" means any of the following, whether voluntary or involuntary: (a) the sale, lease or sublease of the business, (b) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means, or (c) the establishment of a trust, gift or other

similar legal device which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

B. Where terms are not specifically defined in this chapter, in this code, in any applicable statute, rule, code or regulation, or in any of the Uniform Codes adopted and incorporated by reference by this code, they shall have the meanings set forth in their ordinary accepted meanings within the context in which they are used. The most current edition of Webster's Third New International Dictionary of the English Language, Unabridged, shall be construed as providing ordinary accepted meanings for any duly adopted city policy or regulation described in this chapter.

C. Words used in the singular include the plural and the plural the singular.

D. Words used in the masculine gender include the feminine and the feminine the masculine.

Section 5.32.030 Firearms dealers permit required.

A. A person may operate, maintain, run, or manage a firearms dealer establishment only if that person has been validly issued a firearms dealer establishment permit by the city pursuant to this chapter for the subject firearms dealer establishment.

B. Unless specifically exempted by state or federal law, the fact that a person possesses other types of permits and/or licenses does not exempt him or her from the requirement of obtaining a firearms dealer permit to operate a firearms dealer establishment in the city as set forth in this chapter.

Section 5.32.040 Location.

A. A firearms dealer establishment may be located in commercial business park zones as a permitted use subject to the development standards and other provisions set forth in Section 18.02.06 of the zoning ordinance and provided that the establishment will not be located within one thousand feet from a church or other religious institution, day-care center, game arcade, halfway house, residence, residential zoned area, private or public park, group home, or other firearm dealer establishment.

B. The distance between a firearms dealer establishment and any of the uses described above shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business or in the case of a park from the closest property line of the subject park.

Section 5.32.050 Consent.

By applying for a permit under this chapter, the applicant shall be deemed to have consented to the provisions of this chapter and to the exercise of authority by the city's officials, representatives and employees charged with implementing and/or enforcing the provisions set forth in this chapter.

Section 5.32.060 Certificate of occupancy.

No certificate of occupancy shall be issued for any newly constructed structure or substantial enlargement of a structure that will contain a firearms dealer establishment until a firearms dealer establishment permit has been validly issued for the subject premises pursuant to this chapter.

Section 5.32.070 Business license.

No business license shall be issued to any person for any firearms dealer establishment unless such person has first obtained a validly issued firearms dealer permit pursuant to this chapter.

Section 5.32.080 City manager's responsibilities.

The city manager or his or her designee shall be responsible for granting or denying all firearms dealer establishment permits described in this chapter and such permits shall only be granted or denied pursuant to the provisions described in this chapter or any other applicable law.

Section 5.32.090 Firearms dealer permit application.

A. An application for a firearms dealer permit shall be made on a form provided by the city and signed under penalty of perjury.

B. The following information and the following documents must be submitted with all applications for firearms dealer permits:

1. If the applicant is:

a. An individual, the applicant shall provide his/her legal name, any aliases, and date of birth;

b. A partnership, the applicant shall provide the complete name of the partnership, the legal names of all the general partners, any aliases, and dates of birth;

c. A corporation, the applicant shall provide the complete name of the corporation, the legal names and any aliases, dates of birth and capacity of all officers.

2. The name of the business.

3. The name of the prospective on-site manager, if different from the applicant.

4. The location of the proposed firearms dealer establishment, including a legal description of the property, street address, and telephone number(s) currently in service.

5. The applicant's home and/or business address and the home and business addresses of the prospective on-site manager if other than the applicant.

6. A recent photograph of the applicant and the prospective on-site manager if other than the applicant.

7. The applicant's and the prospective on-site manager's, if other than the applicant, drivers license or permit numbers or identification numbers.

8. The applicant's and the prospective on-site manager's, if other than the applicant, fingerprints taken by the police department or other law enforcement agency approved by the police chief.

9. If the applicant and/or prospective on-site manager is an individual, then his/her social security number; if the applicant and/or prospective on-site manager is a business, then the federally issued tax identification number for that business.

10. The previous addresses of applicant and the prospective on-site manager, if other than the applicant, for the ten years prior to the date of the application and the dates of residency at each such address.

11. The names, addresses and descriptions of all current and former businesses owned, operated or managed by applicant and prospective on-site manager, if other than the applicant, for the ten years prior to the date of the application and the dates the applicant and/or the prospective on-site manager, owned, operated or managed such business.

12. A list of all of applicant's and prospective on-site manager's, if other than the applicant, convictions, excluding traffic violations.

13. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, that provides that the declarant has not been convicted of a felony under the laws of the United States, the state of California, or any other state, government, or country;

14. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, that provides that the declarant has not been convicted of any of the following misdemeanor offenses:

a. Manufacturing, importing, selling, intending to sell or otherwise giving, lending or possessing a gun, firearm or other weapon or ammunition in violation of California Penal Code Section 12020;

b. Threatening a public officer, employee or school official to do or refrain from doing any act in the performance of an official duty by means of a threat to inflict unlawful injury to person or property in violation of California Penal Code Section 71;

c. Threatening the life of or serious bodily harm to certain elected and other public officials in violation of California Penal Code Section 140;

d. Removing or taking or attempting to remove or take a firearm from a public officer or police officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 148;

e. Bringing or possessing a prohibited weapon or firearm in a state or local public building in violation of California Penal Code Section 171b;

f. Bringing or possessing a loaded firearm within the state capitol or legislative office in violation of California Penal Code Section 171c;

g. Bringing or possessing a loaded firearm within the governor's mansion or residence of a constitutional officer in violation of California Penal Code Section 171d;

h. Supplying, selling, or giving possession of a firearm to a person who then uses the firearm in commission of a felony while actively participating in a criminal street gang in violation of California Penal Code Section 186.28;

i. Assaulting a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 241;

j. Battery against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 243;

k. Assault with a stun gun or taser in violation of California Penal Code Section 244.5;

l. Assault with a deadly weapon or instrument or by any means of force likely to produce great bodily injury in violation of California Penal Code Section 245;

m. Assault upon a school employee with a deadly weapon or instrument or by any means of force likely to produce great bodily injury or with a stun gun or taser while he or she is engaged in the performance of his or her official duty in violation of California Penal Code Section 245.5;

n. Shooting at an inhabited dwelling house or at an occupied building, motor vehicle, aircraft or camper in violation of California Penal Code Section 246;

o. Willfully discharging a weapon in a grossly negligent manner in violation of California Penal Code Section 246.3;

p. Discharging a firearm at an unoccupied motor vehicle or an uninhabited building or dwelling house in violation of California Penal Code Section 247;

q. Willful infliction of corporal injury in violation of California Penal Code Section 273.5;

r. Intentionally and knowingly violating a court-issued protective order;

s. Drawing, exhibiting, or using a firearm in a rude, angry or threatening manner or in any other unlawfully manner in any fight or quarrel in violation of California Penal Code Section 417;

t. Drawing or exhibiting an imitation firearm in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm in violation of California Penal Code Section 417.4;

u. Possessing a firearm in a school zone or for discharging or attempting to discharge a firearm in a school zone in violation of California Penal Code Section 626.9;

v. Stalking in violation of California Penal Code Section 646.9;

w. Manufacturing or causing to be manufactured, importing, keeping for sale, or offering or exposing for sale or giving, lending or possessing or concealing a prohibited weapon or firearm in violation of California Penal Code Section 12020;

x. Advertising the sale of a prohibited weapon or device in violation of California Penal Code Section 12020.5;

15. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, that provides that the declarant has not been convicted of any offense in any other state which, if committed or attempted in this state, would have been punishable as one or more of the misdemeanor offenses set forth in this section.

16. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, that provides that the declarant has not been liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as defined by California Penal Code Section 417.2.

17. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, that provides that the declarant is not an unlawful user of a controlled substance as defined by the California Health and Safety Code.

18. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, regarding whether the declarant is prohibited to have in his or her possession or under his or her custody or control, or purchase or receive, or attempt to purchase or receive, any firearms whatsoever, pursuant to Sections 8100 or 8103 of the California Welfare and Institutions Code.

19. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, regarding whether the declarant has been convicted within the previous five years of any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

20. A declaration signed under penalty of perjury by the applicant and prospective on-site manager, if other than the applicant, regarding whether the declarant has had a previous firearms dealer establishment permit or any other similar permit denied, suspended or revoked and if any such denial, suspension or revocation occurred, the declarant shall provide the name and location of the firearms dealer establishment for which the license or permit was denied, suspended or revoked, the date of the denial, suspension or revocation, and the reason or reasons for the denial, suspension or revocation.

21. A declaration signed under penalty of perjury by the applicant and prospective on-site manager if other than the applicant regarding whether the declarant has been a sole proprietor, general partner, officer, or director of any

firearms dealer establishment that has had a previous firearms dealer establishment permit or other firearms dealer establishment permit issued pursuant to the ordinance codified in this chapter or any other similar ordinance of the city or other jurisdiction which was denied, suspended or revoked and if any such denial, suspension or revocation occurred, the declarant shall provide the name and location of the firearms dealer establishment for which the permit was denied, suspended or revoked, the date of the denial, suspension or revocation, and the reason or reasons for the denial, suspension or revocation.

22. A sketch or diagram showing the configuration of the premises of the firearms dealer establishment, drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches, including a statement of total floor space occupied by the firearms dealer establishment.

B. The applicant shall provide the following documentation:

1. Proof of a legal or equitable interest or possessory interests, which may include but not be limited to a leasehold interest, in the building and the real property upon which the proposed firearms dealer establishment will be operated;

2. A certified statement from the real property owner authorizing the proposed use of the premises as a firearms dealer establishment if applicant is not the record owner of the building and the real property upon which the proposed firearms dealer establishment will be operated;

3. Proof that applicant is the holder of a valid federal firearms license;

4. Proof that applicant is the holder of a valid seller's permit issued by the state of California Board of Equalization;

5. Proof that applicant is the holder of a valid certificate of eligibility issued by the California Department of Justice; and

6. Certificate of liability insurance as required by Section 5.32.170.

D. The applicant and the prospective on-site manager, if other than the applicant, shall provide the city with the authorization to conduct the necessary background investigations to determine the truthfulness and correctness of the information provided by applicant and to determine whether applicant is qualified pursuant to this chapter to receive the requested firearms dealer establishment permit.

E. The applicant and the prospective on-site manager, if other than the applicant, shall date and sign the application under penalty of perjury that the information contained in the application is true and correct.

F. The applicant's agreement to indemnify, defend and hold harmless the city, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pertaining to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of the applicant, or the applicant's officers, employees, agents and/or supervisors.

G. The applicant shall pay an application deposit fee of two hundred dollars at the time of filing an application pursuant to this chapter to pay for the administrative costs associated with the city's review of the application, fingerprinting costs and background investigation costs of the police department. If additional funds are necessary to cover the above costs, the applicant shall pay such additional costs to the city before further processing of the application may proceed. Any unused portion of the deposit shall be refunded to the applicant.

Section 5.32.100 Processing application.

A. All applications shall be submitted to the city planner.

B. Upon receipt of an application and payment of the nonrefundable application fee, the city planner shall immediately stamp the application as received on that date.

C. The applicant shall pay an application deposit fee of two hundred dollars at the time of filing an application pursuant to this chapter to pay for the administrative costs associated with the city's review of the application, fingerprinting costs and background investigation costs of the police department. If additional funds are necessary to cover the above costs, the applicant shall pay such additional costs to the city before further processing of the application may proceed. Any unused portion of the deposit shall be refunded to the applicant.

D. The application will not be processed unless the application fee is submitted with the respective application.

E. Not later than thirty days after the city planner has received the application, the city planner shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant.

F. In the event the determination is made that the application is not complete, then the written determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they may be made complete.

G. If the written determination is not made within thirty days after receipt of the application, the application shall be deemed complete for purposes of this chapter.

H. After the application has been deemed complete, the application shall be submitted to the police department and the city planner and divisions thereof for their respective review and investigation to determine the accuracy of the information contained in the application and compliance with all applicable regulations.

I. Each department or division identified in this section shall submit their comments regarding their respective review and investigation of the subject application to the city manager or his or her designee.

J. The city manager, or his or her designee, shall grant or deny an application within sixty business days of receipt of a complete application.

K. Upon the expiration of the sixtieth day, unless the city manager, or his or her designee, has provided written notice to the applicant, the application shall be deemed granted and the applicant shall be excused from the requirement that a duly issued permit be posted at the premises until such time as said permit is issued pursuant to this chapter.

Section 5.32.110 Grounds for denial of application.

A. An application for a firearms dealer permit shall be denied upon a showing of any of the following:

1. The location of the business does not comply with all applicable zoning laws and the provisions of Section 5.32.040 of this chapter.

2. The applicant has not provided evidence of a valid federal firearms license.

3. The applicant has not provided evidence of a valid California firearms dealers license;

4. The applicant has not provided evidence of a valid seller's permit issued by the State of California Board of Equalization;

5. The applicant has not provided evidence of a valid certificate of eligibility issued by the California Department of Justice;

6. The applicant has not provided evidence of an insurance policy that complies with Section 5.32.170;

7. The configuration and/or proposed or actual construction of the premises, as set out in the sketch or plan submitted with the application, reveals a violation of an applicable health, fire, building, safety or zoning regulation or law of the federal government, state of California, county of Riverside or ordinance of the city, including those set forth in this chapter.

8. The applicant, or the proposed on-site manager, if other than the applicant, is not twenty-one years of age or older.

9. The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for permit or in any other document submitted to the city pursuant to this chapter. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five years.

10. The applicant or prospective on-site manager, if other than the applicant, has had a previous firearms dealer establishment permit or any other similar permit denied, suspended or revoked within the immediately preceding five years.

11. The applicant or prospective on-site manager, if other than the applicant, was a sole proprietor, general partner, officer, or director of a firearms dealer establishment that had a firearms dealer establishment permit or other firearms dealer establishment permit denied, suspended or revoked within the immediately preceding five years.

12. The applicant or prospective on-site manager, if other than the applicant, has been convicted of a felony under the laws of the United States, the state of California, or any other state, government, or country.

13. The applicant or prospective on-site manager, if other than the applicant, has been convicted of at least one of the following misdemeanor offenses:

a. Manufacturing, importing, selling, intending to sell or otherwise giving, lending or possessing a gun, firearm or other weapon or ammunition in violation of California Penal Code Section 12020;

b. Threatening a public officer, employee or school official to do or refrain from doing any act in the performance of an official duty by means of a threat to inflict unlawful injury to person or property in violation of California Penal Code Section 71;

c. Threatening the life of or serious bodily harm to certain elected and other public officials in violation of California Penal Code Section 140;

d. Removing or taking or attempting to remove or take a firearm from a public officer or police officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 148;

e. Bringing or possessing a prohibited weapon or firearm in a state or local public building in violation of California Penal Code Section 171b;

f. Bringing or possessing a loaded firearm within the state capitol or legislative office in violation of California Penal Code Section 171c;

g. Bringing or possessing a loaded firearm within the governor's mansion or residence of a constitutional officer in violation of California Penal Code Section 171d;

h. Supplying, selling, or giving possession of a firearm to a person who then uses the firearm in commission of a felony while actively participating in a criminal street gang in violation of California Penal Code Section 186.28;

i. Assault against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 241;

j. Battery against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 243;

k. Assault with a stun gun or taser in violation of California Penal Code Section 244.5;

l. Assault with a deadly weapon or instrument or by any means of force likely to produce great bodily injury in violation of California Penal Code Section 245;

m. Assault upon a school employee with a deadly weapon or instrument or by any means of force likely to produce great bodily injury or with a stun gun or taser while he or she is engaged in the performance of his or her official duty in violation of California Penal Code Section 245.5;

n. Shooting at an inhabited dwelling house or at an occupied building, motor vehicle, aircraft or camper in violation of California Penal Code Section 246;

o. Willfully discharging a weapon in a grossly negligent manner in violation of California Penal Code Section 246.3;

p. Discharging a firearm at an unoccupied motor vehicle or an uninhabited building or dwelling house in violation of California Penal Code Section 247;

q. A misdemeanor offense for willful infliction of corporal injury in violation of Penal Code Section 273.5;

r. A misdemeanor offense for intentionally and knowingly violating a court-issued protective order;

s. A misdemeanor offense involving drawing, exhibiting, or using a firearm in a rude, angry or threatening manner or in any other unlawfully manner in any fight or quarrel in violation of California Penal Code Section 417;

t. A misdemeanor offense for drawing or exhibiting an imitation firearm in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm in violation of California Penal Code Section 417.4;

u. A misdemeanor offense for possessing a firearm in a school zone or for discharging or attempting to discharge a firearm in a school zone in violation of California Penal Code Section 626.9;

v. A misdemeanor offense for stalking in violation of California Penal Code Section 646.9;

w. A misdemeanor offense for manufacturing or causing to be manufactured, importing, keeping for sale, or offering or exposing for sale or giving, lending or possessing or concealing a prohibited weapon or firearm in violation of California Penal Code Section 12020;

x. A misdemeanor offense for advertising the sale of a prohibited weapon or device in violation of California Penal Code Section 12020.5;

y. The applicant has not been convicted in any other state of a misdemeanor offense which, if committed or attempted in this state, would have been punishable as one or more of the offenses set forth in this section.

14. The applicant or prospective on-site manager, if other than the applicant, has been held liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as defined by California Penal Code Section 417.2.

15. The applicant or prospective on-site manager, if other than the applicant, is not an unlawful user of a controlled substance as defined by the California Health and Safety Code.

16. The applicant or prospective on-site manager, if other than the applicant, is prohibited to have in his or her possession or under his or her custody or control, or purchase or receive, or attempt to purchase or receive any firearms whatsoever pursuant to Sections 8100 or 8103 of the California Welfare and Institutions Code.

17. The applicant or prospective on-site manager, if other than the applicant, has been convicted within the previous five years of the date of receipt of the complete application of any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

B. The real property owner has not authorized the use of the premises as a firearms dealer establishment.

C. The applicant does not have a possessory or leasehold interest in the real property upon which the proposed firearms dealer establishment will be operated.

D. The applicant refuses to agree, in writing, to indemnify, defend and hold harmless the city, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pertaining to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of the applicant, or the applicant's officers, employees, agents and/or supervisors.

E. The applicant fails to obtain appropriate insurance.

F. If the city manager, or his or her designee denies the application, he or she shall notify the applicant of the denial in writing and state the reason(s) for the denial.

G. Any subsequent information submitted to cure the grounds of a denied application shall be treated as a new application.

Section 5.32.120 Appeal of denial.

A. An applicant may contest the denial of an application or the denial of a permit renewal for any permit described in this chapter by filing an appeal to the city council that conforms to the following requirements:

1. All appeals shall be in writing and shall contain the following information: (a) name(s) of the person filing appeal ("appellants"), (b) a brief statement in ordinary and concise language of the relief sought and the reasons why the permit should be issued, and (c) the signatures of all parties named as appellants and their mailing addresses.

2. Any appeal filed that fails to provide all of the information required by this section shall be deemed incomplete.

3. A complete and proper appeal of a denial of a permit application shall be filed with the city clerk within ten calendar days of service of the letter denying the application.

4. Any appeal not timely filed shall be rejected.

5. A filing fee as established by city council resolution or any amendments thereto for an appeal must be paid to the city at or prior to the time of the filing of the appeal.

6. Any appeal of a denial of a permit application filed without payment of the filing fee shall be deemed incomplete.

7. Not later than ten calendar days from the date the appeal is filed, the city clerk or his or her designee shall determine whether the appeal is complete.

8. If the appeal is determined to be incomplete, the city clerk or his or her designee shall immediately mail to the appellant a notice of incomplete filing which shall provide a written explanation of each reason why the appeal has been determined to be incomplete.

9. If service of the notice of incomplete filing is completed within ten calendar days from the date the appeal is filed, the ten calendar days time period within which to file a completed appeal shall not be extended.

B. Failure to timely and properly file an appeal shall constitute a waiver of all rights to an appeal hearing.

C. As soon as practicable, after receiving the written appeal, the city clerk shall schedule a public hearing before the city council at the next regularly scheduled city council meeting for which there is sufficient time to have the matter properly noticed.

D. As soon as practicable, after scheduling the appeals hearing, the city clerk shall prepare a notice of appeals hearing ("hearing notice") which shall be in substantially the same form as follows:

You are hereby notified that a hearing will be held before the City Council at _____ on the _____ day of _____, _____, at the hour of _____, to hear your appeal of the City Manager's denial of your firearms dealer establishment permit application. You may be present at the hearing. You may be, but need not be, represented by an attorney. You may present any relevant evidence at the hearing.

E. In addition to any other public hearing notice requirements as may be required by any applicable law, the city clerk or his or her designee shall cause a copy of said notice to be provided to the appellant at least ten days prior to the public hearing date either by causing a copy of said notice to be delivered to the appellant personally or by causing a copy of said notice to be delivered by certified mail, postage prepaid, return receipt requested, and addressed to the appellant at the address shown on the appeal.

F. Proof of service of the hearing notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made.

G. The declaration pertaining to the proof of service shall be affixed to a copy of the hearing notice.

H. The city clerk shall cause a copy of the hearing notice to be provided to the city manager or his or her designee.

I. The city manager or his or her designee shall prepare an appeal hearing packet for the city council to review prior to the hearing.

J. The appeal hearing packet shall include a copy of the city manager's decision, a staff report, and any other relevant evidence.

K. The city council shall review all relevant evidence and hear all relevant oral testimony submitted by, for and against the appellant and the appellant shall be provided with a reasonable opportunity to be heard on the matter at the public hearing.

L. The city council shall consider at the appeal hearing only those matters or issues which were specifically raised by the appellant in his or her written appeal and which are relevant to the issues of the hearing.

M. The city council has the authority to determine the relevance of any evidence to the hearing.

N. The city council has the authority to exclude unduly repetitious and cumulative evidence, regardless of its relevancy.

O. The city council shall not have the authority to waive any requirements of this code and/or any applicable statutes, rules, codes or regulations.

P. If the appellant fails to attend the scheduled appeal hearing, the appeal hearing shall proceed without the appellant and the appellant shall be deemed to have waived his or her rights to be orally heard at the hearing.

Q. The city council may take the following actions:

1. Reject the city manager's findings and determinations based upon the conclusion that the city manager misapplied the provisions of this chapter and reverse the city manager's decision;

2. Modify the city manager's findings and determinations to conform with the application of the provisions of this chapter and reverse or affirm the city manager's decision;

3. Accept the city manager's findings and determinations on the grounds that the city manager properly applied the provisions of this chapter to the subject situation and affirm the city manager's decision; or

4. Remand the matter to the city manager with instructions to reconsider the application in light of new information presented to the city council prior to or at the public hearing.

R. The city council shall prepare and serve a written notice of decision upon the appellant and the city manager within thirty calendar days from the date the hearing is deemed closed.

S. The notice of decision shall state whether the city manager's decision has been either upheld, in full or in part, or rescinded, in full or in part.

T. The notice of decision shall also contain a brief summary of the evidence considered, findings of fact, and the effective date of the decision.

U. The city clerk shall cause a copy of the notice of decision to be provided to the appellant by causing a copy of said notice to be delivered to the appellant personally or by causing a copy of said notice to be delivered to the appellant by certified mail, postage prepaid, return receipt requested, and addressed to the address shown on the application.

V. Proof of service of the notice of decision shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the date and manner in which service was made.

W. The declaration regarding the notice of decision shall be affixed to a copy of the notice.

X. The decision of the city council shall be final.

Section 5.32.130 Issuance of permit—Permit conditions.

A. The city manager or his or her designee shall issue the permit if there are no grounds to deny the permit as set forth in Section 5.32.120.

B. Any permit issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the city manager or his or her designee:

1. The business shall be carried on only in the building located at the street address shown on the permit.

2. The permittee shall comply with Sections 12071, 12073, 12074, 12076, 12077 and 12082 and subdivision (b) of Section 12072 of the California Penal Code to the extent that those provisions remain in effect. Any permit issued pursuant to this chapter shall be subject to such additional conditions as the city manager or his or her designee finds are reasonably related to the purpose of this chapter.

Section 5.32.140 Employee information.

A. The following information and the following documents must be submitted by the applicant or permittee to the city for every employee of the subject firearms dealer establishment.

1. The employee or prospective employee's legal name, any aliases, and date of birth.

2. The employee or prospective employee's home and/or business address.

3. A recent photograph of the employee or prospective employee.

4. The employee or prospective employee's drivers license or permit numbers or identification numbers.

5. The employee or prospective employee's fingerprints taken by the police department or other law enforcement agency approved by the police chief.

6. The employee or prospective employee's social security number and/or state or federally issued tax identification number.

7. The previous addresses of the employee or prospective employee for the ten years prior to the date of the application and the dates of residency at each such address.

8. A list of all employee or prospective employee's convictions, excluding traffic violations.

9. A declaration signed under penalty of perjury by the employee or prospective employee that provides that the declarant has not been convicted of a felony under the laws of the United States, the state of California, or any other state, government, or country.

10. A declaration signed under penalty of perjury by the employee or prospective employee that provides that the declarant has not been convicted of any of the following misdemeanor offenses.

a. Manufacturing, importing, selling, intending to sell or otherwise giving, lending or possessing a gun, firearm or other weapon or ammunition in violation of California Penal Code Section 12020.

b. Threatening a public officer, employee or school official to do or refrain from doing any act in the performance of an official duty by means of a threat to inflict unlawful injury to person or property in violation of California Penal Code Section 71.

c. Threatening the life of or serious bodily harm to certain elected and other public officials in violation of California Penal Code Section 140.

d. Removing or taking or attempting to remove or take a firearm from a public officer or police officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 148.

e. Bringing or possessing a prohibited weapon or firearm in a state or local public building in violation of California Penal Code Section 171b.

f. Bringing or possessing a loaded firearm within the state capitol or legislative office in violation of California Penal Code Section 171c.

g. Bringing or possessing a loaded firearm within the governor's mansion or residence of a constitutional officer in violation of California Penal Code Section 171d.

h. Supplying, selling, or giving possession of a firearm to a person who then uses the firearm in commission of a felony while actively participating in a criminal street gang in violation of California Penal Code Section 186.28.

i. Assaulting a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 241.

j. Battery against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 243.

k. Assault with a stun gun or taser in violation of California Penal Code Section 244.5.

l. Assault with a deadly weapon or instrument or by any means of force likely to produce great bodily injury in violation of California Penal Code Section 245.

m. Assault upon a school employee with a deadly weapon or instrument or by any means of force likely to produce great bodily injury or with a stun gun or taser while he or she is engaged in the performance of his or her official duty in violation of California Penal Code Section 245.5.

n. Shooting at an inhabited dwelling house or at an occupied building, motor vehicle, aircraft or camper in violation of California Penal Code Section 246.

o. Willfully discharging a weapon in a grossly negligent manner in violation of California Penal Code Section 246.3.

p. Discharging a firearm at an unoccupied motor vehicle or an uninhabited building or dwelling house in violation of California Penal Code Section 247.

q. Willful infliction of corporal injury in violation of Penal Code Section 273.5.

r. Intentionally and knowingly violating a court-issued protective order.

s. Drawing, exhibiting, or using a firearm in a rude, angry or threatening manner or in any other unlawfully manner in any fight or quarrel in violation of California Penal Code Section 417.

t. Drawing or exhibiting an imitation firearm in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm in violation of California Penal Code Section 417.4.

u. Possessing a firearm in a school zone or for discharging or attempting to discharge a firearm in a school zone in violation of California Penal Code Section 626.9.

v. Stalking in violation of California Penal Code Section 646.9.

w. Manufacturing or causing to be manufactured, importing, keeping for sale, or offering or exposing for sale or giving, lending or possessing or concealing a prohibited weapon or firearm in violation of California Penal Code Section 12020.

x. Advertising the sale of a prohibited weapon or device in violation of California Penal Code Section 12020.5.

11. A declaration signed under penalty of perjury by the employee or prospective employee that provides that the declarant has not been convicted of any offense in any other state which, if committed or attempted in this state, would have been punishable as one or more of the misdemeanor offenses set forth in this section.

12. A declaration signed under penalty of perjury by the employee or prospective employee that provides that the declarant has not been liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as defined by California Penal Code Section 417.2.

13. A declaration signed under penalty of perjury by the employee or prospective employee that provides that the declarant is not an unlawful user of a controlled substance as defined by the California Health and Safety Code.

14. A declaration signed under penalty of perjury by the employee or prospective employee regarding whether the declarant is prohibited to have in his or her possession or under his or her custody or control, or purchase or receive, or attempt to purchase or receive, any firearms whatsoever, pursuant to Sections 8100 or 8103 of the California Welfare and Institutions Code.

15. A declaration signed under penalty of perjury by the employee or prospective employee regarding whether the declarant has been convicted within the previous five years of any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

16. The employee's or prospective employee's written authorization to conduct the necessary background investigations to determine the truthfulness and correctness of the information provided by employee or prospective employee.

17. The employee or prospective employee shall date and sign the submission of all of the information set forth herein under penalty of perjury that the information submitted is true and correct.

18. The applicant/permittee shall pay an employee processing deposit fee of fifty dollars for each employee or prospective employee at the time of submitting the above employee information to pay for the administrative costs associated with the city's review of the employee information, fingerprinting costs and background investigation costs of the police department. If additional funds are necessary to cover the above costs, the permittee shall pay such additional costs to the city before further processing of the employees background check may proceed. Any unused portion of the deposit shall be refunded to the applicant/permittee.

B. The information set forth in this section shall be submitted to the city on an annual basis pursuant to the same provisions set forth in this section.

C. No permittee shall employ any person who will have access to or control over any firearms at the firearms dealer establishment under any of the following circumstances:

1. The person fails to submit the information set forth in this section.

2. The person submits false employee information.

3. The person has been convicted of any of the enumerated felony or misdemeanor offenses described in this section.

4. The person has been held liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as described in this section.

5. The person is an unlawful user of a controlled substance as defined by the California Health and Safety Code.

6. The person is prohibited to have in his or her possession or under his or her custody or control, or purchase or receive, or attempt to purchase or receive, any firearms whatsoever, pursuant to Sections 8100 or 8103 of the California Welfare and Institutions Code.

7. The person has been convicted within the previous five years of any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

Section 5.32.150 Current information.

During the duration of the permit, the permittee shall promptly update, correct or supplement the information contained in its application on file with the city as necessary to keep the information contained therein current and accurate.

Section 5.32.160 Renewal of permit.

A. All permits shall expire one calendar year from the date they are issued.

B. A permit may be renewed for additional one-year periods if the permittee submits a completed application for renewal no later than sixty days prior to the expiration of the current permit.

C. Any permit renewal must be accompanied by a nonrefundable renewal fee of two hundred dollars to pay for the administrative costs associated with the city's review of the application, fingerprinting costs and background investigation costs of the police department. If additional funds are necessary to cover the above costs, the applicant shall pay such additional costs to the city before further processing of the renewal may proceed.

Section 5.32.170 Liability insurance.

A. During the entire term of a firearms establishment permit, permittee shall maintain an effective policy of insurance in a form approved by the city attorney and issued by an insurance company approved by the city manager, or his or her designee, insuring the permittee against liability for damage to property and for injury to or death of any person as a result of the theft, sale, lease or transfer or offering for sale, lease or transfer of a firearm, or any other operations of the business.

B. The liability insurance policy shall name the city, its officers, employees and agents as additional insureds.

C. The limits of liability shall not be less than one million dollars for each incident of damage to property or incident of injury or death to a person; provided, however, that increased limits of liability may be required by the city manager if deemed necessary.

D. The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until written notice has been given to the city attorney at least thirty days prior to the time the cancellation becomes effective.

E. Upon expiration of the policy of insurance, and if no additional insurance is obtained, the firearms dealer establishment permit is deemed revoked.

Section 5.32.180 Inspections.

A. The permittee shall permit representatives of the city, including, but not limited to, the police department to inspect the premises of a firearms dealer establishment for the purpose of insuring compliance with the law at any time it is occupied or open for business.

B. All permittees shall maintain all records, documents, and firearms in a manner and place accessible for inspection by police department personnel.

Section 5.32.190 Exterior lighting.

All off-street parking provided for, and entrances to and exits from, the firearms dealer establishment shall be illuminated from dusk to closing hours with a lighting system which provides an average maintained horizontal illumination of one foot candle of light on the parking surface and walkways.

Section 5.32.200 Exterior surveillance.

A. The permittee shall provide a surveillance system that visually records and monitors all off-street parking areas provided to, and entrances to and exits from, the firearms dealer establishment during all times that the business is open or occupied for business.

B. The surveillance system shall provide continuous recording for at least a twenty-four-hour period, with all recordings maintained for a minimum of seventy-two hours.

C. Immediately upon request, the surveillance recordings for all or any portion of the previous seventy-two-hour period shall be made available to any representative of the police department or other law enforcement agency authorized by the police chief.

D. Any surveillance recordings provided to the police department shall be used only for purposes of investigating an alleged violation of a local, state or federal law, or for enforcement thereof.

Section 5.32.210 Exterior signage.

A. A recognizable and readable sign shall be posted at the main entrance of the firearms dealer establishment identifying the name of the firearms dealer establishment, and such sign shall comply with the sign regulations of the city.

B. A recognizable and readable sign shall be posted at the main entrance of the firearms dealer establishment identifying the hours of operation of the firearms dealer establishment.

C. Signs shall be posted in the parking area, near the entrance of the premises, and at a conspicuous location inside the firearms dealer establishment in such a manner as to notify the public that the exterior of the establishment is subject to recorded surveillance in cooperation with the police department.

D. A sign indicating that minors are prohibited from entering the premises unless accompanied by a parent or legal guardian shall be posted at main entrance of the firearms dealer establishment at which the principal business is firearm sales activity.

Section 5.32.220 Exterior views.

An unobstructed view of the reception area shall be provided from the exterior of the building in which the firearms dealer establishment is situated.

Section 5.32.230 Posting requirements.

The firearms dealer establishment permit shall be posted in a conspicuous place on the premises within the reception area.

Section 5.32.240 Reception area.

At least one artificial light providing a lighting intensity of not less than thirty footcandle power at floor level shall be installed in the reception area.

Section 5.32.250 Hours of operation.

A. Firearms dealer establishments are prohibited from operating between the hours of nine p.m. and seven-thirty a.m.

B. Permittees shall be prohibited from permitting clients to remain on the premises of the firearms dealer after closing hours.

Section 5.32.260 On-site security.

A. Every firearm that is kept in the permitted place of business shall be stored in one of the following manners:

1. In a secured facility that is part of, or that constitutes, the permittee's business premises subject to the following conditions:

a. All perimeter doorways shall conform with one of the following security standards:

i. A windowless steel security door equipped with both a dead bolt and a doorknob lock;

ii. A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door; or

iii. A metal grate that is padlocked and affixed to the permittee's premises independent of the door and door frame.

2. All windows shall be covered with steel bars;

3. Heating, ventilating, air-conditioning and service openings shall be secured with steel bars, metal grating, or an alarm system;

4. No metal grates shall have spaces larger than six inches wide measured in any direction;

5. No metal screens shall have spaces larger than three inches wide measured in any direction;

6. All steel bars shall be no further than six inches apart.

B. Secure all firearms with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm in conformance with the following specifications:

1. The steel rod or cable shall be secured with a hardened steel lock that has a shackle.

2. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

C. Store the firearm in a locked fireproof safe or vault in the permittee's business premises.

Section 5.32.270 Minors.

The permittee shall not permit any person under eighteen years of age to enter or remain within the premises of a firearms establishment at which the principal business is firearm sales activity without being accompanied by his or her parent or legal guardian.

Section 5.32.280 Transfer of ownership.

All transfers of ownership of any business operating pursuant to a permit validly issued pursuant to this chapter shall result in the automatic termination of said permit.

Section 5.32.290 Relocation.

Relocation of any business operating pursuant to this chapter shall result in the automatic termination of said permit.

Section 5.32.300 Reference applies to amendments.

Whenever a reference is made to any part of this code or to any ordinance of the city, reference applies to all amendments and additions now or hereafter made.

Section 5.32.320 Nonconforming uses and permits.

A. All permittees legally permitted to engage in firearms dealer business activities on December 1, 1999, but which are in noncompliance as a result of enactment of the ordinance codified in this chapter shall be deemed legal nonconforming and shall be allowed to continue operation provided they are in compliance with all limitations and requirements of their original permit and the conditions set forth in this section.

B. The following regulations apply to each legal nonconforming use:

1. No physical change in the use is permitted other than ordinary maintenance and repair.

2. No increase or enlargement of the area, space or volume occupied and used is permitted.

3. No change in the nature or character of the nonconforming use is permitted.

C. If the nonconforming use discontinues active operation for a continuous period of one hundred twenty days, the nonconforming use terminates and the facilities accommodating or serving such activity shall thereafter be utilized only for uses permitted or conditionally permitted by the regulations of the applicable zoning district.

D. All permittees shall come into compliance with all licensing and operational criteria identified in this chapter by September 1, 2000.

Section 5.32.330 Suspension and revocation.

A. A firearms dealer permit validly issued pursuant to this chapter shall be subject to suspension or revocation for the following reasons:

1. The permittee's Federal Firearms License or California Firearms Dealers License expires or is revoked, suspended or otherwise invalidated.

2. The actual construction or configuration of the premises reveals a violation of an applicable health, fire, building, safety or zoning regulation or law of the federal government, state of California, county of Riverside or ordinance of the city, including those set forth in this chapter;

3. The permittee, or the on-site manager, if other than the permittee, or any employee is not twenty-one years of age or older;

4. The permittee submitted false information in connection with its application;

5. The permittee, or the on-site manager, if other than the permittee, or any employee is convicted of at least one of the following offenses:

a. Manufacturing, importing, selling, intending to sell or otherwise giving, lending or possessing a gun, firearm or other weapon or ammunition in violation of California Penal Code Section 12020;

b. A felony under the laws of the United States, the state of California, or any other state, government, or country;

c. A misdemeanor offense for threatening a public officer, employee or school official to do or refrain from doing any act in the performance of an official duty by means of a threat to inflict unlawful injury to person or property in violation of California Penal Code Section 71;

d. A misdemeanor offense for threatening the life of or serious bodily harm to certain elected and other public officials in violation of California Penal Code Section 140;

e. A misdemeanor offense for removing or taking or attempting to remove or take a firearm from a public officer or police officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 148;

f. A misdemeanor offense for bringing or possessing a prohibited weapon or firearm in a state or local public building in violation of California Penal Code Section 171b;

g. A misdemeanor offense for bringing or possessing a loaded firearm within the state capitol or legislative office in violation of California Penal Code Section 171c;

h. A misdemeanor offense for bringing or possessing a loaded firearm within the governor's mansion or residence of a constitutional officer in violation of California Penal Code Section 171d;

i. A misdemeanor offense for supplying, selling, or giving possession of a firearm to a person who then uses the firearm in commission of a felony while actively participating in a criminal street gang in violation of California Penal Code Section 186.28;

j. A misdemeanor offense for assault against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 241;

k. A misdemeanor offense for battery against a peace officer, emergency personnel, process server or animal control officer who is engaged in the performance of his or her lawful duties in violation of California Penal Code Section 243;

l. A misdemeanor offense for assault with a stun gun or taser in violation of California Penal Code Section 244.5;

m. A misdemeanor offense for assault with a deadly weapon or instrument or by any means of force likely to produce great bodily injury in violation of California Penal Code Section 245;

n. A misdemeanor offense for assault upon a school employee with a deadly weapon or instrument or by any means of force likely to produce great bodily injury or with a stun gun or taser while he or she is engaged in the performance of his or her official duty in violation of California Penal Code Section 245.5;

o. A misdemeanor offense for shooting at an inhabited dwelling house or at an occupied building, motor vehicle, aircraft or camper in violation of California Penal Code Section 246;

p. A misdemeanor offense for willfully discharging a weapon in a grossly negligent manner in violation of California Penal Code Section 246.3;

q. A misdemeanor offense for discharging a firearm at an unoccupied motor vehicle or an uninhabited building or dwelling house in violation of California Penal Code Section 247;

r. A misdemeanor offense for willful infliction of corporal injury in violation of Penal Code Section 273.5;

s. A misdemeanor offense for intentionally and knowingly violating a court-issued protective order;

t. A misdemeanor offense involving drawing, exhibiting, or using a firearm in a rude, angry or threatening manner or in any other unlawful manner in any fight or quarrel in violation of California Penal Code Section 417;

u. A misdemeanor offense for drawing or exhibiting an imitation firearm in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm in violation of California Penal Code Section 417.4;

v. A misdemeanor offense for possessing a firearm in a school zone or for discharging or attempting to discharge a firearm in a school zone in violation of California Penal Code Section 626.9;

w. A misdemeanor offense for stalking in violation of California Penal Code Section 646.9;

x. A misdemeanor offense for manufacturing or causing to be manufactured, importing, keeping for sale, or offering or exposing for sale or giving, lending or possessing or concealing a prohibited weapon or firearm in violation of California Penal Code Section 12020;

y. A misdemeanor offense for advertising the sale of a prohibited weapon or device in violation of California Penal Code Section 12020.5;

z. A misdemeanor offense committed in another state which, if committed or attempted in this state, would have been punishable as one or more of the offenses set forth in this section.

6. The permittee or on-site manager, if other than the permittee, or any employee is held liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as defined by California Penal Code Section 417.2.

7. The permittee or on-site manager, if other than the permittee, or any employee becomes an unlawful user of a controlled substance as defined by the California Health and Safety Code.

8. The permittee or on-site manager, if other than the applicant, is prohibited to have in his or her possession or under his or her custody or control, or purchase or receive, or attempt to purchase or receive, any firearms whatsoever, pursuant to Sections 8100 or 8103 of the California Welfare and Institutions Code.

9. The permittee or on-site manager, if other than the applicant, is convicted at any time during the term of the subject firearms dealer establishment permit for any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

10. The real property owner withdraws authorization to use the premises as a firearms dealer establishment.

11. The permittee loses a possessory or leasehold interest in the real property upon which the proposed firearms dealer establishment is located.

12. The permittee withdraws its obligation to indemnify, defend and hold harmless the city, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pertaining to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of the permittee, or the permittee's officers, employees, agents and/or supervisors.

B. The permittee's required insurance expires or otherwise is invalidated and permittee does not obtain substitute insurance approved by the city.

C. If the city manager, or his or her designee denies the application, he or she shall notify the permittee of the denial in writing and state the reason(s) for the denial.

D. Permittee operates, maintains, runs or manages any firearms dealer establishment under any business name not specified in the permit.

E. Permittee transfers or assigns a permit issued pursuant to this chapter to another person or to another location such as another legal parcel or another address.

F. The permittee fails to file any of the required declarations described in Section 5.32.090 for a new on-site manager.

G. The permittee or permittee's employees refuse to permit representatives of the city, including, but not limited to, the police department, to inspect the premises of a firearms dealer pursuant to Section 5.32.180.

H. The permittee fails to comply with the following provisions:

1. The exterior lighting requirements set forth in Section 5.32.190;

2. The exterior surveillance requirements set forth in Section 5.32.200;

3. The exterior signage requirements set forth in Section 5.32.210;

4. The exterior view requirements set forth in Section 5.32.220;

5. The posting requirements set forth in Section 5.32.230;

6. The hours of operation requirements set forth in Section 5.32.250;

7. The on-site security requirements set forth in Section 5.32.260;

8. The liability insurance requirements set forth in Section 5.32.170.

I. Permittee employs a person who has access to or control over any firearms at the firearms dealer establishment and that person has: (1) failed to submit the information set forth in Section 5.32.110, (2) submitted false employee information, (3) been convicted of any of the enumerated felony or misdemeanor offenses described in Section 5.32.110, (4) been held liable for a civil fine resulting from the purchase, sale, manufacture, shipment, transport, distribution or receipt by mail or any other manner of an imitation firearm as described in Section 5.32.110, or (5) is an unlawful user of a controlled substance as defined by the California Health and Safety Code.

J. Revocation or suspension of any permit validly issued pursuant to this chapter shall be accomplished pursuant to the procedures set forth in Chapter 13.150 of this code.

Section 5.32.340 Public nuisance.

A violation of sections of this chapter by any person responsible for committing, causing or maintaining such violation shall constitute a public nuisance which shall be subject to the provisions of Chapter 13.80 of this code. (Ord. 516 § 2, 1999)

Section 5.32.350 Administrative citation.

A. The city may issue an administrative citation, pursuant to Chapter 13.58 of this code, to any person responsible for committing, causing or maintaining a violation of Sections 5.32.030, 5.32.040, 5.32.130(B), 5.32.140, 5.32.150, 5.32.170, 5.32.180, 5.32.190, 5.32.200, 5.32.210, 5.32.220, 5.32.230, 5.32.240, 5.32.250, 5.32.260, 5.32.270 or 5.32.320.

B. Nothing in this section shall preclude the city from also issuing an infraction citation, as the case applies, upon the occurrence of the same subject offense on a separate day.

Section 5.32.360 Administrative fine.

Any person issued an administrative citation under this chapter shall for each separate violation be subject to: (a) an administrative fine in an amount not to exceed one hundred dollars for the first citation; (b) an administrative fine in an amount not to exceed two hundred fifty dollars for a second citation issued for the same offense within a twelve-month period of the date of the first offense; and (c) a fine in an amount not to exceed five hundred dollars for a third and any subsequent citation issued for the same offense within a twelve-month period of the date of the first offense.

Section 5.32.370 Additional remedies.

Nothing in this chapter shall preclude the city from pursuing other remedies provided by Chapter 13.140 of this code, including but not limited to, as applicable, denial or revocation of certificates of occupancy, issuance of stop work orders and injunctive relief.

Cerritos Code of Ordinances
Codified through Ordinance No. 1022, passed August 9, 2018.

Title 9 Public Peace, Safety and Morals
Chapter 9.16 Minors Possessing Weapons

Section 9.16.010 Selling firearm to minor unlawful.

Except as otherwise provided in Section 9.16.040, it is unlawful for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, sling shot, or device designed, or intended to discharge, or capable of discharging, any dangerous missile.

Section 9.16.020 Selling dangerous weapon unlawful.

Except as otherwise provided in Section 9.16.040, it is unlawful for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance designed, or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

Section 9.16.030 Operation of dangerous weapon unlawful.

Except as otherwise provided in Section 9.16.040, it is unlawful for any person under the age of eighteen years to fire, discharge, shoot, or operate, or to assist or participate in the firing, discharging, shooting, or operating, or to have in his or her possession; care, custody, or control, any gun, revolver, pistol, firearm, spring gun, air gun, sling, sling shot, or device designed, or intended, to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

Section 9.16.040 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit in the city the giving, loaning, or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.16.010 and 9.16.020; nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control, any article mentioned in Section 9.16.030 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting or operating, any article mentioned in Section 9.16.030 when such person is accompanied by, and under the direct care and control of some adult person and is lawfully engaged in shooting any inanimate target or trapshooting device.

Section 9.16.050 Penalty for violation.

Any person, firm, or corporation violating any provision of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Section 1.08.020.

Chino Code of Ordinances

Codified through Ordinance No. 2018-004, passed April 3, 2018. (Supp. No. 27)

Title 9 Public Peace, Morals and Welfare
Chapter 9.86 Regulation of Retail Sales of Firearms

Section 9.86.010 Purpose of provisions.

The city council finds and declares that regulation of retail sales of firearms is necessary to protect the public peace and safety and that it enacts this chapter pursuant to Section 12071 of the Penal Code.

Section 9.86.020 Definitions.

For the purpose of this chapter, the definitions contained in this section shall govern the meanings of the following terms, words, phrases and their derivations:

1. "Firearm" means any device, designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. "Firearm" also includes the frame or receiver of any such weapon.

2. "Pistol," "revolver" and "firearm capable of being concealed upon the person" mean and include any device, designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and which has a barrel less than sixteen inches in length. These terms also include any device which has a barrel sixteen inches or more in length which is deigned to be interchanged with a barrel less than sixteen inches in length.

3. For purposes of this chapter, "firearm" does not include an unloaded firearm which is defined as an "antique firearm" in Section 921(a)(16) of Title 18 of the United States Code or a curio, or relic, as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

Section 9.86.030 License required.

A. No person shall engage in the business of selling, leasing, transferring, advertising, offering, or exposing for sale, lease, or transfer of firearms unless he or she has been issued a license therefore by the chief of police pursuant to this chapter. Any person violating this section is guilty of a misdemeanor.

B. As used in this chapter, engaging in the business of selling, leasing, or transferring of firearms does not include any of the following activities:

1. The sale, lease, or transfer of any firearm by a person acting pursuant to a court order or pursuant to the Enforcement of Judgments Law (commencing with Section 680.010 of Part 2 of the Code of Civil Procedure), or by a person who liquidates a personal firearm collection to satisfy a court judgment;

2. The sale, lease, or transfer of firearms by a person acting pursuant to Penal Code Section 12028(c);

3. The sale, lease, or transfer of a firearm by a person who obtains title to the firearm by intestate succession or by bequest, provided the person disposes of the firearm within sixty days of receipt of the firearm;

4. The infrequent sale, lease, or transfer, offering, exposing for sale, lease, or transfer, or advertising for sale, lease, or transfer of firearms.

C. As used in this chapter, "infrequent" means:

1. For pistols, revolvers, and other firearms capable of being concealed upon the person, less than six transactions per calendar year. For this purpose, "transaction" means a single sale, lease, or transfer of any number of pistols, revolvers, or other firearms capable of being concealed upon the person;

2. For firearms other than pistols, revolvers, or other firearms capable of being concealed upon the person, occasional and without regularity.

Section 9.86.040 Application for license, Requirements.

A. Every person who is engaged, or intends to become engaged, in the sale of firearms within the city shall apply for a license to continue or commence said business with the chief of police. Such application shall be submitted on the form provided by the chief of police. Such application shall require the following information from each applicant:

1. The applicant's current name and any former name used within the prior ten years;

2. The applicant's date of birth, place of birth, driver's license number and social security number;

3. The applicant's residential and business addresses for the prior ten years;

4. The applicant's experience in the management or operation of any firearm business and the laws applicable thereto including the identity and location of any firearm business currently or previously managed, operated or owned;

5. The address of each location for which the applicant seeks a license to conduct a firearm sales business and the identity of the owner of said premises;

6. The applicant's complete criminal history, if nay, including the violation of any licensing statutes or ordinances for any business previously conducted by the applicant;

7. A photograph of each applicant, taken within sixty days immediately prior to the date of the filing of the application, which shall be two feet by two feet showing the head and shoulders of each applicant in a clear and distinguishing manner;

8. A statement from applicant's physician verifying that applicant is not abusing alcohol or drugs;

9. Any other information reasonably necessary to accomplish the purposes of this ordinance and to evaluate the qualifications, credibility and moral character of the application to comply with the requirements of this chapter and other applicable state and federal laws.

10. The same information for any and all persons who will, or actually do, manage the firearms business in the case that the applicant will, or does, not actually manage the firearm sales business on a continuous basis. This section requires a licensee to submit such information to the chief of police for each manager subsequent to the issuance of any license hereunder.

B. The applicant shall verify the accuracy, completeness and truthfulness of the information submitted on the application under penalty of perjury.

C. The applicant shall deposit the sum of two hundred fifty dollars toward the investigation and processing of the application. The applicant shall reimburse the city for the actual costs of processing the application and conducting the investigation. The applicant shall pay said costs as a condition of submitting the application and no license granted hereunder shall become valid unless and until said costs are paid by the licensee.

Section 9.86.050 Issuance of license.

A. Upon receipt of a completed application for a firearm sales license, the chief of police shall initiate an investigation of each applicant and complete said investigation no later than sixty days from the application's filing. The chief of police shall investigate the following:

1. The accuracy, completeness and truthfulness of the information contained in the application;

2. The adequacy of the location and the building for the proposed firearm sales business;

3. The applicant's history if any, of violations of criminal or regulatory violations;

4. The applicant's prior business experience as it relates to the management or operation of any firearm sales business or similar business;

5. The applicant's compliance with other applicable laws, ordinances and regulations;

6. The applicant's moral character to comply with the requirements of this chapter and other applicable laws pertaining to the sale, transfer and registration of firearms.

B. If the chief of police finds that the applicant possesses the necessary experience, good business practices and good moral character to conduct the business of firearm sales, the chief of police may grant or conditionally grant a firearm sales license to any such person. If granted, the license shall be in the form prescribed by the attorney general and shall be subject to the conditions of Section 9.86.070 of this chapter.

C. The chief of police shall deny a firearm sales license to any person if he finds any of the following:

1. Any of the information in the application is not accurate, complete and truthful;

2. The applicant has violated, or the proposed retail firearm sales business would violate, any law, ordinance or regulation related to the applicant's fitness to manage or operate a firearm sales business;

3. The applicant does not possess the requisite moral character to comply with the requirements of this chapter, or any reasonable conditions imposed on the permit, or other applicable laws, ordinances or regulations;

4. The applicant does not possess the requisite moral character to manage and operate a firearm sales business within the city in accordance with the requirements of this chapter;

5. The applicant does not have sufficient financial resources, or experience or experienced employees to manage or operate a retail firearm sales business within the city in accordance with the requirements of this chapter.

D. A firearm sales license shall be valid for an initial period of one year which shall automatically expire unless the licensee shall apply for a renewal pursuant to the procedures for an original license.

E. Any such license shall not be transferable by the person to whom it is issued. Any such transfer shall automatically void the license.

Section 9.86.060 Conditions of license.

If the chief of police elects to grant a firearm sales license, the chief of police may impose any condition on the license that reasonably furthers the purposes, regulations and requirements of this chapter or other applicable laws, ordinances or regulations including but not limited to the following:

A. The days and hours during which the retail firearms sales business may operate;

B. The measures for the security or safety of the patrons, employees, neighbors and general public of the retail firearms business including the employment of security personnel.

Section 9.86.070 General operating requirements.

The license issued hereunder shall be subject to the following conditions and operating requirements.

A. The business shall be conducted only in the building designated in the license except as provided in Penal Code Section 12071(a)(1)(B).

B. The license or a copy thereof, certified by the chief of police, shall be displayed on the premises in a conspicuous place.

C. No firearm shall be delivered except after the following time periods:

1. Prior to January 1, 1996, within fifteen days of the application for the purchase, or, after notice by the Department of Justice pursuant to Penal Code Section 12076(c), within fifteen days of the submission to the Department of Justice of corrected copies of the register, or within fifteen days of the submission to the Department of Justice of any fee required pursuant to Penal Code Section 12076(d), whichever is later;

2. On or after January 1, 1996, within fifteen days of the application for the purchase of a pistol, revolver, or other firearm capable of being concealed upon the person, or, after notice by the Department of Justice pursuant to Penal Code Section 12076(c), within fifteen days of the submission to the Department of Justice of corrected copies of the register, or within fifteen days of the submission to the Department of Justice of any fee required pursuant to Penal Code Section 12076(d), whichever is later;

3. On or after January 1, 1996, within ten days of the application for the purchase of any other firearm, or, after notice by the Department of Justice pursuant to Penal Code Section 12076(c), within ten days of the submission to the Department of Justice of corrected copies of the register, or within ten days of the submission to the Department of Justice of any fee required pursuant to Penal Code Section 12076(d), whichever is later.

D. No firearm shall be delivered except as follows:

1. The firearm must be unloaded and securely wrapped or unloaded and in a locked container;

2. The purchaser or transferee of the firearm must be personally known to the licensee or presents clear evidence of his or her identity and age to the licensee. Clear evidence of identity and age of the purchaser or transferee includes, but is not limited, to a motor vehicle operator's license, a state identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the licensee reasonable assurance of the identity and age of the purchaser or transferee.

3. No firearm shall be delivered whenever the licensee is notified by the Department of Justice that the purchaser or transferee is in a prohibited class described in Penal Code Section 12021 or 12021.1 or Welfare and Institutions Code Sections 8100 or 8103.

E. No pistol, revolver, or other firearm capable of being concealed upon the person or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

F. The licensee shall agree to and shall act properly and promptly in processing transfers of firearms pursuant to Penal Code Section 12082.

G. The licensee shall comply with Penal Code Sections 12072 (a) and (b), 12073 and 12077.

H. The register required by the licensee shall be open to inspection by the chief of police, or designee, at all reasonable time.

I. The licensee shall report the theft of loss of any firearm to the chief of police or watch commander within one hour after such theft or loss is discovered.

Section 9.86.080 Modification of firearm sales license when.

A. The chief of police shall retain jurisdiction to review the licensee's compliance with this chapter and the conditions of the firearm sales license including but not limited to the right to add, delete or modify any condition of the license based upon the circumstances in existence at the time of such proposed review. Each firearm sales license granted pursuant to this chapter is automatically conditioned by the review provisions of this section. No action shall be taken under this section unless the chief of police finds that such action is necessary to protect the public morals, health, peace, safety or welfare, or that such action is necessary to permit reasonable operation under the firearm sales license previously granted.

B. The chief of police may institute a review hearing of any license provided that a written statement containing the factual basis of the proposed modification has been prepared and delivered to the licensee together with notice of the time, date, and place of the review hearing at least twenty days prior to the review hearing.

Section 9.86.090 Appeal to city manager.

A. Any decision of the chief of police to deny, grant, conditionally grant, modify or revoke a license to sell firearms may be appealed to the city manager or the city manager's designee. The appeal shall be filed in writing with the city clerk within ten days of any decision by the chief of police. Unless an appeal is filed within such period, any action or decision of the chief of police shall be final and the city manager shall lack jurisdiction to act on such appeal. No appeal shall be valid unless accompanied by the appropriate fee.

B. The statement of appeal shall identify the specific action of the chief of police from which the appeal is taken, specify the grounds for the appeal, and identify the relief requested from the city manager. However, the appeal shall be limited to those matters actually raised by the applicant or licensee before the chief of police. The city manager shall lack jurisdiction to consider any matter not raised before the chief of police or not contained in the statement of appeal.

C. Upon receipt of a statement of appeal, the city manager shall set the matter for a hearing within ten days. The city manager may deny the appeal or may grant the appeal, in whole or in part, together with any conditions which may have been imposed by the chief of police. Within ten days following the conclusion of the hearing, the city manager shall render a decision on the appeal which shall address each matter raised by the appeal.

Title 20 Zoning
Chapter 20.21 Standards for Specific Land Uses

Section 20.21.040 Home occupations.

B. Prohibited uses. The following uses are prohibited as home occupations:

1. Gun and/or ammunition sales.

Chapter 20.24 Glossary

Section 20.24.020 Definitions.

G. Definitions, "G".

Guns and ammunition sales. Any premises or portion thereof used for the sale, vending, dealing, exchange or transfer of firearms and ammunition.

Chino Hills Code of Ordinances
Codified through Ordinance No. 329, passed June 12, 2018. (Supp. No. 37)

Title 16 Development Code
Chapter 16.56 Home Occupation Permits

Section 16.56.035 Prohibited home occupation uses.

A. The following businesses are not incidental to, or compatible with, residential activities, and are therefore prohibited from operating as a home occupation use:

3. Ammunition reloading, including custom reloading;

Chula Vista Code of Ordinances
Codified through Ordinance No. 3443, passed October 23, 2018.

Title 5 Business Licenses, Taxes and Regulations
Chapter 5.28 Firearms Sales

Section 5.28.010 License required – Statutory authority applicable.

No person shall engage in the business of selling, or otherwise transferring, or advertise for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person, without first obtaining a license from the Chief of Police, which license shall be issued in accordance with the conditions and provisions contained in Article 1, Chapter 2, Division 6, Title 4, Part 6 of the Penal Code, commencing at Section 26700. In accordance with Penal Code Section 26705(d), a nonrefundable required fee(s), or the required renewal fee(s), shall accompany the submission of each license application. Such licenses, when issued, shall expire one year from the date of issuance and may be renewed only by filing a written request for renewal, accompanied by the annual license fee and a copy of the license to be renewed.

Section 5.28.015 Annual inspection required.

The Chief of Police, or his designee, shall inspect each firearms dealer in the City for the purpose of determining that the provisions of Penal Code Section 16575 are met. No license to conduct business as a firearms dealer shall be granted unless an inspection reveals that the business complies with all provisions. An inspection must be completed at least once per year at the time of license application or renewal.

Section 5.28.030 Definitions.

For the purposes of this chapter, the below terms are defined as follows:

A. "Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of explosion or other form of combustion.

B. "Firearm dealer" means any person licensed by the City pursuant to California Penal Code Section 12071 for the retail sale of firearms within the City of Chula Vista. "Firearm dealer" shall not include persons involved in transactions excluded under California Penal Code Section 12070.

C. "Safe firearm storage device" or "safe storage device" shall mean any of the following devices, the proper use of which will prevent the unintentional discharge of the firearm:

1. A lockable hard plastic or metal box capable of covering the whole of the firearm sold. The box shall have, or shall be provided with, a lock.

2. A soft case with an outer shell made with a heavy canvas or ballistic nylon capable of covering the whole firearm sold. The case shall have a zipper capable of being locked shut. The soft case shall have, or shall be provided with, a lock.

3. Any type of reusable locking device that is capable of rendering the firearm sold, leased, or transferred inoperable, when properly installed, by keeping the trigger from releasing the sear, thereby dropping the firing pin, or locking the action of the firearm open so it will not go into battery. Any device integrated into the firearm by the manufacturer which meets the criteria of this subsection shall qualify as a safe firearm storage device.

4. All locks or locking devices sold, furnished or made available in order to comply with the provisions of this chapter shall have a key or a combination with at least three tumblers.

A firearm "safety" shall not be considered a safe storage device for purposes of this chapter.

Section 5.28.040 Provision of safe firearm storage device.

A. It is unlawful for any firearm dealer to sell, lease or otherwise transfer ownership of any firearm without also providing with the firearm a safe firearm storage device designed to prevent the unintentional discharge of the firearm being sold, leased, or transferred.

B. The safe firearm storage device shall be locked in place, properly attached to, or properly covering the firearm at the time it leaves the firearm dealer's premises.

C. Nothing in this chapter shall prevent the firearm dealer from recovering the cost of providing a safe firearm storage device by charging a price for the safe storage device, either separately or as part of the price of the firearm.

Section 5.28.050 Provision of safe firearm storage materials.

It is unlawful for any firearm dealer to sell, lease or otherwise transfer ownership of any firearm without providing with the firearm printed material, approved by the Chief of Police, that advises the user of safe firearm storage practices.

Section 5.28.060 Acknowledgment of receipt by purchaser.

In connection with the sale, gift, loan or transfer of a firearm, the firearm dealer shall obtain from the person receiving the firearm a signed acknowledgment that a trigger locking or similar device required by CVMC 5.28.030, and the printed material required by CVMC 5.28.050, has been provided with the firearm. The acknowledgment shall be in a form approved by the Chief of Police. The firearm dealer shall retain signed acknowledgments of receipt in the same manner and to the same extent as required by state law for other firearm transaction records.

Section 5.28.070 Representations.

A firearm dealer who has fully complied with the provisions of this chapter relating to trigger locking or similar devices shall not be presumed to have made any representation to the transferee regarding the safety or appropriateness of the use of the trigger locking or similar device, nor shall the firearm dealer be liable in any civil action brought against the firearm dealer, to the extent such liability would be based solely upon the act of furnishing the trigger locking or similar device to a person in compliance with this chapter.

Section 5.28.080 Exceptions.

A. The requirements of CVMC 5.28.040, 5.28.050 and 5.28.060 shall not apply to firearms that have been determined by the Director of the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, to be curios or relics under federal law.

B. The requirements of CVMC 5.28.040, 5.28.050 and 5.28.060 shall not apply to firearms rented at a licensed range for use on the range and shall not apply to temporary lending transactions in which the firearm does not leave the premises of the firearm dealer.

Chapter 5.32 Garage Sales

Section 5.32.040 Prohibited items.

It is unlawful for any person to exchange, barter, trade or sell at a garage sale the following items of personal property: Firearms, ammunition, explosives, animals and livestock, any item of personal property from which the serial number or identifying number has been removed, and any and all other items of personal property which may be prohibited from being exchanged, bartered, traded or sold by ordinance or resolution of the city, the county of San Diego, or the state of California.

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.32 Minors' Possession of Guns

Section 9.32.010 Conveyance of firearms to minors prohibited.

No person shall sell, exchange, give or loan to any person under the age of 16 years any springback knife, gun, revolver, pistol or firearm of any description, or any spring or airgun or other device designed or intended to discharge any pellets, or other deadly or dangerous missile, or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein.

Section 9.32.020 Possession of firearms by minors prohibited.

No person under the age of 16 years shall have in his possession, care, custody or control any article or thing set forth in the preceding section.

Section 9.32.030 Exceptions to restrictions.

Restrictions imposed by CVMC 9.32.010 and 9.32.020 will not be deemed to prohibit the sale of or the carrying of ordinary firearms, tools or equipment carried in good faith for the uses of honest work, trade or business, or for the purpose of legitimate sport or recreation.

Claremont Code of Ordinances
Codified through Ordinance No. 2018-11, effective December 12, 2018 code supplement.

Title 16 Zoning
Chapter 16.051 Commercial districts

Section 16.051.020 Uses and development permitted

A. Permitted Uses

The uses and development permitted in the Commercial Districts are listed in the following Table 16.051.A as indicated in the columns beneath each commercial district. Where indicated with the letter "P," the use or development shall be permitted. Where indicated with the letters "CUP," the use or development shall require approval of a conditional use permit pursuant to Chapter 16.303. Where indicated with the letters "SUDP," the use or development shall require

approval of a special use and development permit pursuant to Chapter 16.306. Where indicated with the symbol < >, the use is prohibited. In the event a use is not listed or there is difficulty in categorizing a use as one of the uses listed in Table 16.051.A, the use shall be prohibited unless a Finding of Similar Use is approved by the Director of Community Development pursuant to Chapter 16.339. In addition, a permitted use may include ancillary uses, provided the Director of Community Development determines such ancillary uses are appropriate, compatible with, and secondary to the permitted use, and are consistent with the intent of the district in which such uses are located.

Permitted Use Chart – Table 16.051.A
Permitted, Special and Conditional Uses and Developments for Commercial and Industrial Districts

Zone												
Use	CP	CN	CL	CH	CF	CV/ CVO*	CVO w/ display window	B/IP	MU1**	MU2**	MU3**	MU4**
6) General Merchandise/Retail Trade												
Firearms, ammunition and related products – retail sales	< >	< >	< >	< >	< >	< >	< >	CUP	< >	< >	< >	< >

Clovis Code of Ordinances
Codified through Ordinance No. 18-17, passed July 9, 2018.

Title 4 Public Safety
Chapter 4.6 Weapons

Section 4.6.07 Sale of firearms.

(a) No person who is engaged in the business of selling, leasing, or otherwise transferring, and no person who sells, leases, or otherwise transfers, either title to or possession of a pistol, revolver, or other firearm of a size capable of being concealed upon the person, shall sell, lease, or in any other way transfer title to or possession of such pistol, revolver or other firearm, or deliver the same pursuant to such sale, lease, or transfer, unless the person to whom the same is sold, leased, transferred, or delivered shall at the time exhibit a permit duly issued by the Chief of Police authorizing such person to acquire such pistol, revolver, or firearm; nor shall any person not having such permit receive or accept delivery or transfer of possession of such pistol, revolver, or other firearm of a size capable of being concealed on the person.

(b) It shall be lawful for the Chief of Police, upon satisfactory proof being made to him that the person applying for the permit specified by subsection (a) of this section is of good moral character and that good cause exists for the issuance thereof, to issue to such person a numbered permit to purchase, lease, or otherwise acquire a pistol, revolver, or other firearm of a size capable of being concealed on the person. Such application for such permit shall be made in the applicant's own handwriting, filed with the Chief of Police, and shall set forth his true name and residence, his business and business address, the kind of firearm to be acquired for which permission is sought by the applicant, and the reason for his application. The permit, issued in duplicate, shall show the name, residence, and business of the person to whom issued and his description, including his height, weight, age, and color of his hair, skin, and eyes, and shall be countersigned by the permittee himself at the time of issuance, and the Chief of Police shall retain the duplicate copy. No sale, lease, or other transfer of any pistol, revolver, or other firearm shall be made by any person to any other person unless the description of the person to whom such transfer is made shall identify him with the description in the permit which he presents, nor unless such permit shall be then and there surrendered to the person from whom the firearm is received, who shall endorse on it the make, number, and caliber of such firearm and transmit such permit to the Chief of Police, attached to the duplicate register for that day as required by the provisions of subsection (f) of this section.

(c) No person shall sell, exchange, give, loan, or otherwise dispose of any firearm or ammunition to any individual who the person knows or has reasonable cause to believe is less than eighteen (18) years of age and, if the firearm or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the person knows or has reasonable cause to believe is less than twenty-one (21) years of age.

(d) The Chief of Police is hereby duly authorized to seize and confiscate, when found unlawfully in the possession of any person, any missile or any other instrument capable of projecting any missile, or any slingshot, slungshot, bow, or arrow, or any rifle, pistol, or gun using B-B pellets or bullets which expels a missile by spring, air, gas, or gunpowder and hold the same for a period of thirty (30) days, and thereafter, at his discretion, may return such property to the owner or, in the case of a person under the age of twenty-one (21) years, to his parent or guardian, or may destroy such property.

(f) Every person in the business of selling, leasing, or otherwise transferring, and every person who sells, leases, or otherwise transfers, within the City, a pistol, revolver, or other firearm of a size capable of being concealed on the person shall keep a register in which shall be entered in duplicate the time, date, place of sale, the name of the person making the sale, lease, or other transfer of any pistol, revolver, or other firearm, and the make, model, manufacturer's number, caliber, and any identification marks thereof, and, in addition, the number of the permit issued by the Chief of Police

authorizing the person to whom such sale, lease, or other transfer is made to acquire such pistol, revolver, or other firearm. No such sale, lease, or transfer shall be made unless the person to whom the same is to be made shall first sign his true name and address in such register in duplicate and not until the person making the sale, lease, or other transfer shall have signed his name in duplicate as witness to the name and address of the person to whom such sale, lease, or other transfer is made. The duplicate sheets of such register shall, on the day on which the sale, lease, or other transfer of such pistol, revolver, or other firearm is made, be placed in the United States mail, with postage prepaid, in an envelope properly addressed to the Chief of Police in Clovis, California.

(g) No person shall sign a fictitious name or a fictitious address or falsify in any manner any information required by the provisions of subsections (b) and (f) of this section.

(h) Nothing contained in this section shall apply to any duly appointed peace officer of any political subdivision of the State, or to wholesale dealers in their regular business intercourse with retail dealers, or to wholesale or retail dealers in their regular course of business when transporting unloaded pistols, revolvers, or other firearms by mail, express, or other method of shipment to points outside the City.

Commerce Code of Ordinances

Codified through Ordinance No. 695, passed February 20, 2018. (Supp. No. 9)

Title 5 Business Regulations and Licensing*

Chapter 5.11 Gun Dealers

Section 5.11.010 Definition, Gun dealer.

"Gun dealer" means any person, firm or corporation who sells or otherwise transfers to the public any pistol, revolver or other firearm, new or used, capable of being concealed upon the person. "Gun dealer" includes any person, firm or corporation who purchases, takes in trade, or accepts on consignment from the public, any firearm of any type, including, but not limited to, pistols, revolvers and rifles.

Section 5.11.020 Gun dealer, license required.

Every gun dealer shall first procure a license.

Section 5.11.030 Regulations.

If a license is granted under this chapter, it shall be subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

(1) The business shall be carried on only in the building designated in the license;

(2) The license or a true copy thereof, shall be displayed on the premises where it can easily be seen;

(3) The license shall comply with the provisions of all state and federal statutes and regulations applicable to his business as a gun dealer.

Section 5.11.040 Records.

In addition to properly maintaining all records and documents required by state and federal laws, a gun dealer upon purchasing, taking in trade, or accepting on consignment from the public any firearm of any type, shall comply with buy-form requirements as enumerated in Chapter VII, Article 9 of Los Angeles County License Ordinance beginning with Section 1391.

Section 5.11.050 Inspection.

Upon the request of any peace officer, a gun dealer shall furnish all records pertaining to the gun dealer's transactions, including, but not limited to, all records required to be maintained by law, and shall permit an inspection of the licensed premises.

Chapter 9.16 Weapons

Section 9.16.001 Ammunition sales.

(a) The term "**firearm ammunition**," as used in this section, shall include any ammunition for use in pistols, revolvers, rifles, shotguns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of any explosion or other form of combustion.

(b) Except as specified in subsections (c) and (d), no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during any of the following periods:

(1) During the seven days prior to the first day of January of each year or on the first day of January of each year;

(2) During the seven days prior to the Fourth of July of each year or on the fourth day of July of each year;

(3) During the seven days prior to the sixteenth day of September of each year or on the sixteenth day of September of each year.

(c) Nothing in this section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer, or of ammunition requested by Section 12324 of the Penal Code.

(d) Nothing in this section shall prohibit sale to or acquisition by any person described in Section 12302 or 12322 of the Penal Code.

(e) The provisions of this section shall not apply to the sale of any firearm ammunition when such sale is prohibited by Sections 12303, 12303.6, 12304 or 12321 of the Penal Code, or is otherwise prohibited by Chapter 2.5, Title 2, Part 4, of the Penal Code.

Section 9.16.010 Giving firearms to minors.

Except as otherwise provided in Section 9.16.040, it is unlawful for any person, firm, or corporation, to sell, give, lend or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, sling shot, or device designed, or intended, to discharge, or capable of discharging, any dangerous missile.

Section 9.16.020 Giving ammunition to minors.

Except as otherwise provided in Section 9.16.040, it is unlawful for any person, firm, or corporation, to sell, give, lend, or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished, to any person under the age of eighteen years, any cartridge, shall, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from any gun, revolver, pistol, or firearm.

Concord Code of Ordinances
Codified through Ordinance No. 18-8, passed September 25, 2018.

Title 15 Buildings and Building Regulations
Chapter 15.85 Building Security

Section 15.85.100 Commercial building security provisions.

(a) Intrusion detection devices.

(2) Establishments having specific type inventories shall be protected by the following type alarm service:

a. Silent alarm--Central station--Supervised service.

2. Guns and ammunition;

Contra Costa County Code of Ordinances
Codified through Ordinance No. 2018-28, passed September 25, 2018. (Supp. No. 89, Update 1)

Title 4 Health and Safety
Division 44 Dangerous Materials
Chapter 44-4 Weapons

Section 44-4.002 Firearms, Possession by minors.

No minor under the age of sixteen year shall possess or use firearms of .22 calibre or greater or air guns except under the direct supervision and control of an adult.

Section 44-4.008 Firearms, Ammunition sale to minors.

No person shall sell or give to any minor under the age of sixteen years any ammunition capable of being used by a parent, legal guardian or adult authorized by the parent.

Title 5 General Welfare and Business Regulations
Division 54 Public Order
Chapter 54-20 Saturday Night Specials, Sale Prohibited

Section 54-20.002 Purpose.

The purpose of this chapter is to ensure the health, safety, and general welfare of residents of the county of Contra Costa by eliminating the sale of cheaply made, inadequately designed and poorly manufactured handguns in the unincorporated areas of the county.

Section 54-20.004 Definitions.

(a) Except as provided in subsection (b) of this section, the term "**Saturday night special**," as used in this section means any of the following:

(1) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength;

(2) A semiautomatic pistol which:

(A) Is not originally equipped by the manufacturer with a locked-breech action;

(B) Is chambered for cartridges developing maximum permissible breech pressures above twenty-four thousand one hundred copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute;

(C) For purpose of this subsection (2), "**semiautomatic pistol**" means a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber; (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semiautomatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276;

(3) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

(A) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech pressures below nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute;

(B) Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufactures Institute;

(C) Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger;

(D) If rimfire, is equipped with a barrel of less than twenty bore diameters in overall length protruding from the frame;

(E) For purpose of this subsection (3), "**action mechanism**" means the mechanism of a firearm by which it is loaded, locked, fired and unloaded.

Section 54-20.006 Exclusions.

The term "Saturday night special" does not include any of the following:

(1) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020;

(2) Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion;

(3) Children's pop guns or toys;

(4) An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12); or

(5) Any pistol which has been modified to either render it permanently inoperable or permanently to make it a device no longer classified as a "Saturday night special."

Section 54-20.008 Roster.

The county officer and department designated by the county administrator shall compile, publish and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the designated officer or his/her designee determines satisfy the definition of Saturday night special set forth in Section 54-20.004.

Section 54-20.010 Publication.

The designed county officer or his/her designee shall publish the roster of Saturday night specials on a semiannual basis and shall send a copy of the roster to every dealer within the unincorporated area of the county who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California.

Section 54-20.012 Sale prohibited.

No wholesale or retail gun dealer shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the state of California. This section shall not be enforced until the roster of Saturday night specials has been completed and published in accordance with Sections 54-20.008 and 54-20.010.

Section 54-20.014 Exemptions.

Nothing in this chapter shall prohibit the disposition of any Saturday night special by police departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or the United States for use in the discharge of their official duties; nor shall anything in this chapter prohibit the use of any Saturday night special by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of such firearms is within the scope of their duties.

Title 8 Zoning
Division 82 General Regulations
Chapter 82-36 Sale of Firearms

Section 82-36.202 Purpose and administration.

(a) Purpose. This chapter requires and provides criteria for the consideration and approval of land use permits and firearms dealer licenses before the sale of firearms will be permitted in any nonresidential land use zoning district of this county. The county finds it necessary to establish land use permit and firearms dealer license requirements and criteria in the interest of the public health, safety and welfare to regulate the sale of firearms in the unincorporated area. This chapter alone does not allow or permit sales of firearms, but only applies to sales of firearms where otherwise allowed or permitted within an involved applicable nonresidential land use zoning district. This chapter does not authorize the sale of firearms in any nonresidential land use district where they are not otherwise allowed or permitted by the applicable involved zoning district's regulations.

(b) Administration. For purposes of this chapter, whenever the term "**director**" is referenced, it shall mean the director of the community development department or his or her designee.

Section 82-36.204 Nonconforming use.

Upon the effective date, (December 28, 1995) of this chapter, any person who claims or believes that he or she has established a legal nonconforming use to conduct firearms sales, including sales of ammunition, shall, within ninety days of the effective date of this chapter, provide written evidence describing the extent and scope of such use to the director and obtain a firearms dealer license as provided in Article 82-36.8. To the extent such legal nonconforming use has been established in accordance with this section and continued after the effective date of this chapter, all applicable state and federal permits and licenses must be obtained and maintained in full force and effect and the use may not be increased, enlarged or expanded without a land use permit as provided in this chapter.

Section 82-36.206 Firearm.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion.

Section 82-36.208 Ammunition.

The term **"ammunition,"** as used in this chapter, shall include any ammunition for use in any pistol or revolver from which is expelled a projectile by the force of explosion or other form of combustion.

Section 82-36.210 Firearm dealer.

The term **firearms dealer**, as used in this chapter, shall mean any person who is engaged in the retail sale of firearms and/or ammunition.

Section 82-36.402 Application contents.

In addition to the applicable requirements of Chapters 26-2 and 82-6 and the involved nonresidential zoning district, an application for a land use permit to sell firearms, including ammunition, shall contain the following information:

(1) A description of where the proposed firearm sales is to be located on the subject property, including a description of the building or structure within which the sale of firearms is to take place;

(2) The true name and complete address of each owner and tenant of the building or structure within which the sale of firearms is to take place;

(3) A description of all the firearms, including ammunition, proposed to be sold;

(4) A description of the security measures planned at the premises to provide for the protection of the premises and the goods to be sold thereon; and

(5) The identification of any existing firearm dealer sales sites located within five hundred feet of the applicant's proposed sales site.

Section 82-36.602 Requirement.

No sale of firearms, including ammunition, shall be allowed unless and until a land use permit is first obtained pursuant to this chapter and maintained in full force and effect.

Section 82-36.604 Additional findings.

In addition to the findings established in Article 26-2.20, and Section 82-6.002, no land use permit to allow the sale of firearms, including ammunition, shall be issued unless the following findings are made:

(1) The district in which the firearm sales is to take place is not a residentially zoned area; and the proposed site is not located within five hundred feet of a residentially zoned area;

(2) The firearm sales will not take place in a location which is within five hundred feet of a school, daycare, park, establishments that have on-site or off-site alcohol sales, places of worship or an existing firearm dealer's sales site;

(3) The applicant has demonstrated that the location in which the firearm sales are to take place will have adequate safe storage, security and a lighting system.

Section 82-36.606 Compliance.

In order for a land use permit issued under the provisions of this chapter to become effective and remain operable and in full force, the applicant at all times shall:

(1) Within thirty days of obtaining a land use permit and prior to any sales, first obtain a local firearms dealer license from the director, which will not be issued except upon proof of a land use permit obtained in accordance with the provisions of this chapter. Such a license will be considered for issuance pursuant to guidelines to be established by the director and in accord with criteria set forth in Article 82-36.8 and maintained in full force and effect;

(2) Maintain a record of ammunition purchases as provided in Article 82-36.10;

(3) Comply with all state and federal statutory requirements for the sale of firearms and ammunition and reporting of firearm sales (Penal Code Section 12076), including the provisions of California Penal Code Sections 12070 and 12071, including but not limited to the statutory requirement that all thefts of firearms be reported within forty-eight hours of discovery to the sheriff (Penal Code Section 12071(b)(13)), and within thirty days of a written request by the director, provide proof of such compliance.

Section 82-36.608 Granting.

Land use permits for the sale of firearms as allowed in this chapter and variance permits to modify the provisions of this article may be granted as provided and required by this chapter and in accordance with Chapters 26-2 and 82-6.

Section 82-36.802 Licensing authority.

The director is designated as the local licensing agent for purposes of Penal Code Section 12071, relating to firearm sales. As the local licensing agent, the director will, as he or she deems necessary, administer applicable provisions relating to firearm sales (Penal Code Sections 12070, 12071) and establish guidelines for the issuance of local firearms dealer licenses in accordance with criteria established by Penal Code and as provided in Section 82-36.804. The applicant shall pay compensatory fees and costs for such permit as established by the board of supervisors pursuant to recommendation of the director.

Section 82-36.804 Local firearms dealer licenses.

In accordance with the provisions of Penal Code Section 12071, the director, as the local licensing authority, shall accept applications for and may grant licenses valid for one year (Penal Code Section 12071(a)(6)) permitting the retail sale of firearms and ammunition in the unincorporated area of the county where otherwise allowed by the involved zoning district, provided that a written application containing the following is submitted to and approved by the director.

(1) The name, age and address of the applicant;

(2) The address of the proposed location for which the license is required, together with the business name, if any;

(3) Proof of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of real property;

(4) Proof of compliance with all federal and state licensing laws, including but not limited to the provisions of California Penal Code Section 12071 requiring reporting of thefts (Penal Code Section 12071(b)(13)), and security storage requirements for each firearm (Penal Code Sections 12071(b)(14), 15(c)(3));

(5) Proof of the issuance of a land use permit at the proposed location, or in the alternative, proof of compliance with the provisions of Section 82-36.204 for the establishment of a legal nonconforming use;

(6) Information relating to licenses or permits relating to other weapons sought by the applicant from other jurisdictions, including but not limited to date of application and whether each application resulted in issuance of a license;

(7) Information relating to every revocation of a license or permit relating to firearms, including but not limited to date and circumstances of the revocation;

(8) Applicant's agreement to indemnify, defend, release and hold harmless the county, its officers, agents, and employees, from and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees, arising in any manner out of the applicant's negligence or intentional or wilful misconduct; and

(9) Payment of nonrefundable compensatory fees for administering this chapter in amounts to be established by resolution of the board of supervisors.

Section 82-36.806 Conditions of approval.

In addition to other requirements and conditions of this chapter, a firearms dealer license is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the license by the director:

(1) The business shall be carried on only in the building located at the street address shown on the license.

(2) Compliance with all requirements of applicable state and federal law relating to firearm sales, including provisions relating to manner of delivery of firearms, age and identity requirements for purchasers, storage of firearms, recording and reporting of firearms sales transactions, and posting of required notices on the premises (Penal Code Sections 12071, 12076).

(3) Compliance with all requirements of applicable state and federal laws relating to firearms safety devices, including but not limited to Penal Code Sections 12087 through 12088.8.

(4) The licensee shall maintain a record of all ammunition sales as provided in Article 82-36.10.

(5) The licensee shall obtain and maintain any necessary local licenses, including a business license.

Section 82-36.808 Grounds for license denial.

The director may deny the issuance or renewal of a firearm dealer's license when one or more of the following conditions exist:

(1) The applicant is under twenty-one years of age;

(2) The applicant is not licensed as required by federal, state and local law;

(3) The applicant has had a firearms permit or license previously revoked or denied for good cause within the immediately preceding two years;

(4) The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for a firearm dealer's license; or

(5) The operation of the business as proposed would not comply with federal, state and county ordinances, including but not limited to the California Penal Code and applicable building and fire safety regulations.

Section 82-36.810 Renewability of firearms dealer license.

A firearms dealer license expires one year after the day of issuance. A license may be renewed for additional one-year periods upon the payment of the application fee and licensee's submission of a new written application for renewal which includes the information required by Section 82-36.804. Upon receipt of the fee and new application, the director will review the application and render a decision pursuant to the provisions of this article for initial license application. Such application for renewal must be received by the director no later than forty-five days before the expiration of the current license.

Section 82-36.1002 Record of ammunition sales.

No firearm dealer shall sell or otherwise transfer ownership of any ammunition without at the time of purchase recording the following information on a form to be prescribed by the director: the date of the transaction; the name, address and date of birth of the transferee; the transferee's driver's license or other identification number and the state in which it was issued; the brand, type and amount of ammunition transferred; and the transferee's signature.

Section 82-36.1004 Inspection of records.

The records required by this section shall be maintained on the firearm dealer's premises for a period of not less than two years from the date of the recorded transfer. These records are subject to inspection by the director at any time during normal business hours.

Section 82-36.1006 Maintenance of records.

No person shall knowingly make a false entry in, or fail to make a required entry in, or fail to maintain in the required manner records prepared in accordance herewith.

Section 82-36.1202 Nonassignability.

A firearms dealer license issued under this chapter is not assignable. An attempt to assign a firearms dealer license renders the license void.

Section 82-36.1204

If a part of this chapter is held to be invalid, the remaining portions of this chapter are not affected.

Corona Code of Ordinances

Codified through Ordinance No. 3280, passed July 5, 2018. (Supp. No. 33)

Title 5 Business Licenses and Regulations
Chapter 5.40 Sale of Concealable Firearms

Section 5.40.020 Permit Required/Administration.

(A) It is unlawful for any person to engage in business as a firearms dealer, as hereinafter defined, without a firearm dealer permit issued by the Chief of Police. The Chief of Police is constituted the licensing authority for the city within the meaning of Section 12070 of Article 4, and is granted the authority to administer the provisions of this chapter. The Chief of Police may delegate such authority to an employee or member of the Police Department as he shall determine.

(B) It is unlawful for any person to sell, deliver, or otherwise transfer any firearm in violation of state or federal law or without the permit required by § 5.40.20.

Section 5.40.025 Definitions.

For the purpose of this chapter, the following words shall mean:

"**Chief of Police**" means the Chief of Police or his designee.

"**Firearm**" means any device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of any explosion or other form of combustion. A "**Firearm**" includes any device defined as a firearm in California Penal Code Section 12002.

"**Firearms Dealer**" means any person who obtains a Federal Firearms Dealer License for the business of:

(1) Selling, transferring, or leasing any new or used firearms at wholesale or retail; or

(2) Advertising for sale, transfer, or lease any new or used firearms at wholesale or retail; or

(3) Offering or exposing for sale, transfer, or lease, any new or used firearms at wholesale or retail.

Section 5.40.030 Application limited.

This chapter shall not be applicable to any person who makes only those sales described in Section 12078 of the California Penal Code.

Section 5.40.040 License - Issuance - Fee.

(A) The Chief of Police or his designee shall accept applications for, and may grant licenses permitting a person to sell at retail within the city pistols, revolvers, and other firearms capable of being concealed upon the person. If such a license is granted, it shall be effective for not more than one year from the date of issuance or such shorter period of time as the Chief or his designee may provide.

(B) An application fee for an initial license shall be required and, if said license is issued, any additional fee required by the Department of Justice shall also be paid. An application fee shall also be required for a renewal license, and payment of any additional fees required by the Department of Justice. The amounts of all fees required pursuant to this section shall be established by resolution, except those fees established by the Department of Justice. All fees shall be paid to the director of finance, and no application shall be accepted and no license issued before the applicable fee is paid in full. All fees shall be nonrefundable. The fees charged are deemed reasonable fees to defray the cost of investigation, administration and issuance of said licenses.

Section 5.40.050 License – Conditions for granting.

The Chief of Police or his designee may issue a license as provided for in this chapter if he first finds that:

(A) The applicant is not one of the classes of persons described in Sections 12021 and/or 12021.5 of the California Penal Code; and

(B) The building in which the applicant proposes to conduct the business of selling by retail any pistol, revolver or other firearm capable of being concealed upon the person is equipped with such security devices as the state of California requires and the chief or his designee deems necessary to prevent the theft therefrom of any such firearm; and

(C) The conduct of such business at the proposed location will not adversely affect the public health, safety and general welfare.

(D) Any license issued pursuant to this chapter shall be subject to those conditions stated in Section 12071 of the California Penal Code and any other reasonable conditions deemed necessary by the chief, or his designee, to protect the public health, safety and general welfare. Such license shall be in the form prescribed by the California Attorney General.

Section 5.40.055 Issuance or denial of permit.

Except as otherwise provided in this Code, upon completion of the background investigation of the applicant, the Chief of Police or designee shall issue the permit unless:

(A) The applicant has knowingly made false or misleading statements of a material fact or omitted a material fact in the application; or

(B) The operation of the firearm dealer business as proposed in the application for the permit will violate any applicable building, fire, health, or zoning requirement set forth in this Code; or

(C) The applicant is under 21 years of age; or

(D) The applicant has had a similar permit or license previously revoked or denied for good cause within one year immediately preceding the date of the filing of the application; or

(E) The applicant has not been licensed as a firearm dealer as required by federal law and the State of California; or

(F) The applicant, within five years immediately preceding the date of filing the application has been convicted in a court of competent jurisdiction of any of the following offenses:

(1) Any offense involving the use of force or violence upon the person of another; or

(2) Any offense of theft, embezzlement, or receiving stolen property; or

(3) Any felony offense involving the sale, manufacture, possession, or use of any controlled substance as defined by the California Health and Safety Code; or

(4) Any offense in another state which, if committed in this state, would have been punishable as one of the offenses specified above and immediately preceding; or

(G) The applicant is under indictment for, or has been convicted of, any violation of federal, state or local law relating to the manufacture, sale, transfer, lease, registration, use, or possession of any firearm or ammunition; or

(H) The applicant fails to remove the authority of any officer, agent or employee to act on behalf of the applicant in the firearm dealer business within five working days after applicant receives written notification by certified mail or personal delivery from the Chief of Police, that:

(1) Any officer, employee, or agent of the applicant, is under indictment for, or has been convicted of, any violation of federal, state or local law relating to the manufacture, sale, transfer, lease, registration, use, or possession of any firearm or ammunition; or

(2) Any officer, employee, or agent of the applicant, is a person in a prohibited class described in Section 12021 or Section 12021.1 of the California Penal Code or Section 8100 or Section 8103 of the Welfare and Institutions Code; or

(I) The applicant is a person in a prohibited class described in Section 12021 or Section 12021.1 of the California Penal Code or Section 8100 or Section 8103 of the Welfare and Institutions Code; or

(J) The applicant has failed to provide evidence of a possessory interest, such as the interest of an owner, tenant, lessee or sublessee, in the property where the proposed business will be conducted; or

(K) The applicant has failed to obtain a zoning use certificate required by this Code.

Section 5.40.060 Reporting firearms sales—Fee collection.

Firearms dealers shall comply with the reporting requirements established in Section 12076 of the California Penal Code for reporting sales of firearms, including collection and transmission to the State of any fees required to be charged in connection with the sale or purchase of a firearm.

Section 5.40.070 License – Revocation – Renewal denial.

The Chief of Police or his designee may revoke a license issued under this chapter, or may refuse to issue a renewal license thereunder, if the renewal applicant fails to meet the standards provided for in § 5.40.050, or the licensee has violated any provision of Article 4 of the California Penal Code, or has violated any other law of the state dealing with firearms or weapons or has breached any condition of a license issued under this chapter.

(A) The permit shall be revoked if the firearms dealer, employee or agent of the firearm dealer is not operating in full compliance with this ordinance.

(B) The permit shall be revoked if the firearm dealer does not remove the authority of any officer, agent, or employee to act on behalf of the firearm dealer within five working days after the firearm dealer receives notification by certified mail or personal delivery from the Chief or his designee, that such officer, agent or employee has violated any offenses in this section.

Section 5.40.075 Right of inspection.

Firearms dealers shall have their places of business open to Police Department inspection during all hours of operations. Firearm dealers shall maintain all Firearms records and documents, firearms and storage places in a manner and place accessible for inspection by Police Department personnel.

Section 5.40.080 Permit not transferable.

A firearms dealer permit may be issued only to a specific person to conduct business as a dealer at a specific location and at gun shows in accordance with California Penal Code section 12071. It is unlawful for any person to transfer a firearm dealer permit to another person or from one location to another without prior written approval of the Chief of Police. Any attempted transfer shall be ineffective.

Section 5.40.085 Permit restriction to one location.

The firearm dealer business may be carried on only in the location designated in the permit. Only one firearm dealer permit may be issued per location.

Section 5.40.090 Display of permit required.

The firearm dealer permit or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can be easily read.

Section 5.40.100 Appeal - Council action.

Whenever the Chief of Police or his designee refuses to issue a license, refuses to renew a license or revokes a license, such decision is final unless the applicant or licensee, as the case might be, notices an appeal therefrom and requests a review thereof before the City Council. Such notice and request shall be in writing and filed with the City Clerk within ten days after the Chief of Police of his designee refuses to issue the license, refuses to renew the license, or revokes the license. Upon receipt of said notice, the City Clerk shall cause the matter to come before the City Council at its next regular meeting, which is held after the expiration of ten days from the date of notice of appeal, is filed. The City Council shall thereupon review the sufficiency of the reasons of the Chief of Police or his designee for the action being appealed. The Council shall hear the applicant or licensee, as the case may be, and consider all relevant evidence. After said review is completed, the Council shall issue its decision within thirty days thereof. Said decision shall be final.

Section 5.40.110 Violation of state law as violation of chapter.

Any act or omission by a firearms dealer or any other person which constitutes a violation of Part 4, Title II, Chapter 1, Article 4 (commencing with Section 12070) of the California Penal Code shall constitute a violation of this chapter.

Title 9 Peace, Morals and Welfare
Chapter 9.50 Possession by Minors

Section 9.50.010 Furnishing to prohibited.

No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of 18 years a revolver or pistol of any description, shotgun or rifle which may be used for the explosion of cartridges or any air gun, "B-B gun," gas operated or spring gun or any ammunition therefor or any knife or knives having the appearance of a pocket knife, the blade or blades of which can be opened by a flick of a button, pressure on the handle or any mechanical devices; or any instrument, toy or weapon commonly known as a "slingshot," or any bow made for the purpose of throwing or projecting missiles for any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name.

Section 9.50.020 Possession prohibited.

No person under the age of 18 years shall have in his or her possession, care, custody or control any of the articles mentioned in § 9.50.010 except within his or her own domicile or except when accompanied by and under the immediate

supervision of a parent or guardian or having in his or her possession written permission signed by such parent or guardian permitting him or her to have any of the articles in his or her possession.

Section 9.50.030 Confiscation.

Every police officer taking a weapon used in violation of this chapter shall deliver the same to the Chief of Police to be held by him or her until the final determination of the prosecution for the offense. Upon the finding of guilt it shall then be the duty of the Chief of Police on a first offense to return the weapon to the owner and on a second offense to confiscate and destroy it.

Section 9.50.040 Exemption.

The provisions of §§ 9.50.010 and 9.50.020 shall not apply as to any shotgun or rifle, or the ammunition therefor, in possession of any minor under the age of 18 years who possesses a valid hunting license issued by the state.

Coronado Code of Ordinances
Codified through Ordinance No. 2085, passed October 2, 2018.

Title 20 Operations Permits
Chapter 20.06 Retail Firearms Dealers

Section 20.06.020 Definition.

"Seller of firearms" shall be any person who sells or offers for sale at retail any pistol, revolver, rifle, shotgun or other firearm which detonates or fires an explosive compound or other form of combustion in any manner and discharges or is capable of being altered so as to discharge a projectile.

Section 20.06.030 Issuing authority.

A. The Director of Police Services is authorized to issue business operations permit: retail firearms dealer and to regulate activities thereunder.

B. The issuing authority shall administer this chapter in accordance with the regulations contained in the California Code of Regulations. (See Cal. Code. Regs. Ch. 1, Art. 2.)

Section 20.06.040 Application.

An application for the operations permit required by this chapter shall be filed no later than 30 days prior to the proposed commencement date of the business operation.

Section 20.06.050 Fees, regulations.

A. The operations permit shall be in a form prescribed by the Attorney General.

B. The term of the operations permit shall be for no more than one year from the date of issue.

C. Additional rules and regulations for the conduct of the business operation regulated by this chapter are set forth in the provisions of the California Penal Code (Part 4, Title 2, Chapter 1, Article 4, commencing with Section 12070).

D. A violation of this chapter may be prosecuted as a violation of the California Penal Code, punishable as a misdemeanor.

Section 20.06.060 Restrictions.

A material safety data sheet through County Public Health will be required prior to the storage of any material which may be considered an explosive compound.

Title 40 Public Peace, Morals, and Welfare
Chapter 40.68 Weapons - Discharging

Section 40.68.040 Possession of firearms, air guns, pointed missiles, etc., by minors.

A. Except as provided in this section, it is unlawful for any person under the age of 18 to have in his or her possession or control while upon any public street or sidewalk, or in any place open to the public within the corporate limits of the City, any firearm, air gun, sharp pointed missile, dart or arrow, or other device designed for the propulsion of shot, stones, or other similar objects or substances.

B. This section shall not apply to any juvenile while under the lawful and immediate supervision of a parent or legal guardian, or while participating in an organized event requiring the use of such devices, provided there is an adult present to provide supervision.

Corte Madera Code of Ordinances

Codified through Ordinance No. 976, passed June 19, 2018. (Supp. No. 20)

Title 9 Peace, Safety and Morals
Chapter 9.16 Deadly Weapons

Section 9.16.010 Definition.

The term **"dangerous or deadly weapon"** as used in this chapter includes, but is not limited to, any revolver, pistol, shotgun, rifle, or firearm, which may be used for the explosion of cartridges, and any air gun, "B.B." gun, gas-operated gun, spring gun, slingshot, bow and arrow, switchblade knives, and any weapon or device designed to project a missile of any type with such force or velocity as to be unsafe or dangerous to any person or property, in the town, other than:

(1) One carried pursuant to valid permit issued by duly authorized governmental authority; or

(2) Any ordinary rifle or shotgun lawfully owned or possessed in a domicile, or while being conveyed to or from such domicile for the purpose of hunting or other legitimate use outside the town.

Section 9.16.030 Possession by minor.

It is unlawful for any person under the age of eighteen years to possess, except in his or her domicile, or while being conveyed to or from such domicile for the purpose of hunting or other legitimate use outside the town, any dangerous or deadly weapon.

Covina Code of Ordinances

Codified through Ordinance No. 18-10, passed October 2, 2018.

Title 9 Public Peace, Morals and Safety
Division VIII Weapons
Chapter 9.86 Concealable Firearms – Retail Sales

Section 9.86.020 Definitions.

“Pistol,” “revolver,” and “firearm capable of being concealed upon the person,” as used in this chapter, mean “pistol,” “revolver,” and “firearm capable of being concealed upon the person,” as defined by the California Penal Code as said definition now reads or may hereafter be amended to read. (Ord. 1518 § 1, 1982.)

Section 9.86.030 Permit – Required.

No person shall engage in the business of selling or otherwise transferring, or advertise for sale, or offer or expose for sale, or transfer any pistol, revolver or other firearm capable of being concealed upon the person, unless he has been issued a permit pursuant to the provisions of this chapter.

Section 9.86.040 Written applications – Fees.

An application for a permit required by this chapter, or for the renewal thereof, shall be filed with the finance department; shall be in writing on forms provided by the city; shall be in duplicate; and shall be accompanied by a paid receipt issued by city for payment of the application fee. The application fee for the initial permit is in an amount that may be set from time to time by a resolution of the city council, and for a renewal permit is in an amount that may be set from time to time by a resolution of the city council. The application fee is established to cover part of the cost of investigation and processing an application and permit and is not refundable. Every application shall be verified as provided by the California Code of Civil Procedure for the verification of pleadings. In addition to the application form, any applicant for a permit shall submit the following information:

A. The full name and present address of applicant, and all persons having a financial or profit sharing interest in the business;

B. The two previous addresses immediately prior to the present address of applicant and the dates of residence at each;

C. Written proof that the applicant is over the age of 21 years;

D. Applicant’s height, weight, color of eyes and hair;

E. Business, occupation or employment history of the applicant for the three years immediately preceding the date of the application;

F. The business license history of the applicant; whether such person, in previously operating in this or another city or state under license, has had such license revoked or suspended, the reason therefor and the business activity or occupation subsequent to such action or suspension or revocation;

G. All convictions and the reasons therefor;

H. Such other identification and information as the police department may require in order to discover the truth of the matters hereinbefore specified as required to be set forth in the application, including such personal references as the department deems necessary;

I. Nothing contained herein shall be construed to deny to the police department the right to take the fingerprints and additional photographs of the applicant, nor shall anything contained herein be construed to deny the right of the department to confirm the height and weight of the applicant.

Section 9.86.050 Application – Investigation.

The police department may fingerprint any person applying for a permit required by this chapter. The police chief shall conduct an appropriate investigation of the applicant to determine whether the permit shall be issued. The police chief may require additional information of applicants which he deems necessary to conduct his investigation. The police chief may dispense with the investigation upon being furnished with an authenticated copy of a current permit issued by another governmental agency located in the county.

Section 9.86.060 Application – Denial.

The permit shall be denied by the police chief if:

A. The character or reputation of the applicant is determined to be inimical to the safety or general welfare of the community; or

B. The applicant has been convicted of any felony or misdemeanor involving the violation of any law or ordinance relating to the owning, carrying, sale, use or registration of any firearm or dangerous or deadly weapon; or

C. The applicant, his employee or agent has knowingly made any false or misleading statement of a material fact in the application for a permit; or

D. The applicant has had a similar type permit previously revoked for good cause within the past year unless the applicant can show a material change in circumstances since the date of revocation.

Section 9.86.070 Permit – Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the state.

Section 9.86.080 Permit – Duration.

All permits so issued shall expire:

A. One year after the date of issuance; or

B. Upon the cessation or change of location of business for which such permit is issued, whichever occurs sooner; provided, however, that such permits may be renewed for additional permits of one year upon the approval of the police chief.

Section 9.86.090 Permit – Conditions – Revocation.

Any permit issued shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the police chief:

A. The business shall be carried on only in the building designated in the permit.

B. The permit or a copy thereof, certified by the police chief, shall be displayed on the premises where it can easily be seen by anyone patronizing the premises.

C. No pistol or revolver shall be delivered:

1. To anyone other than the purchaser thereof;

2. To the purchaser within 15 days of the application for the purchase;

3. To the purchaser unless he is personally known to the seller or presents clear evidence of his identity to the seller;

4. Unless it is unloaded and securely wrapped.

D. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

E. The applicant shall not conduct the business of selling or otherwise transferring, or advertise for sale, or offer or expose for sale, or transfer any pistol, revolver or other firearm in any residential zone of the city as designated pursuant to CMC Title 17.

Section 9.86.100 Permit – Assigning prohibited.

The assignment or attempt to assign any permit issued under this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 9.86.110 Revocation for cause.

A permit shall be revocable by the police chief for cause, which shall include, but shall not necessarily be limited to, violation of CMC 9.86.090 or falsification of information in the permit application.

Section 9.86.120 Surrender of permit.

When a permit is revoked pursuant to this chapter, the permittee shall surrender the permit to the police department.

Section 9.86.130 Permit – Appeal procedure.

Any permit granted pursuant to the provisions of this chapter may be revoked or suspended by the police chief when in his opinion the applicant is violating any of the provisions of this chapter or applicable state law.

In the event that any such permit is revoked by the police chief, an appeal may be taken to the city council within 30 days after the date of said denial or revocation. If such an appeal is taken, it shall be by written notice of appeal, filed with the city clerk and served upon the police chief by the applicant. The city council shall set a day for hearing the appeal and shall designate the time and place where such hearing is to be held. A notice of said hearing shall be given the applicant by the city clerk for mailing the same to the last known address of said applicant not less than five days prior to the date set for hearing. At any such hearing, the applicant shall be given the opportunity to be heard and/or defend himself, and may call witnesses and present evidence on his behalf. The police chief or his representative shall attend the hearing. Upon conclusion of such hearing, the city council shall make findings and shall sustain or overrule, by a majority vote, the decision of the police chief.

Section 9.86.140 Confidentiality.

The information furnished and secured pursuant to this chapter shall be confidential in character, shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this chapter.

Section 9.86.150 Exemption of sales to government officers – Identification.

The provisions of this chapter do not apply to sales of concealable firearms made to persons properly identified as full-time paid officers of a city police department, sheriff's department, district attorney's office, the California Highway Patrol, or the State Department of Justice, nor to sales of concealable firearms made to authorized representatives of cities, cities and counties, counties, or state or federal governments for use by such governmental agencies. Proper identification is defined as verifiable written certification from the head agency by which the purchaser is employed, identifying the purchaser and authorizing the purchase. The certification shall be delivered to the seller at the time of purchase and the purchaser shall identify himself as the person authorized in such certification.

Section 9.86.160 Enforcement of provisions.

The conviction of any person for violation of the provisions of this chapter shall not relieve the person from paying the permit fee due and unpaid at the time of the conviction, nor shall payment of any permit fee prevent criminal prosecution for violation of any of the provisions of this chapter. All remedies shall be cumulative and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter. The amount of any permit fee shall be deemed a debt to the city. An action may be commenced in the name of the city in any court of competent jurisdiction for the amount of any delinquent permit fee.

Title 17 Zoning
Chapter 17.26 Residential Zone (Single-Family)

Section 17.26.035 In-home business license.

An in-home business as defined in CMC 17.04.325 may be conducted from a residence subject to the following conditions:

I. The following uses are expressly prohibited for consideration as an in-home business: vehicular repair, firearms or weapon sales and the manufacturing of substances or products;

Culver City Code of Ordinances
Codified through Ordinance No. 2018-013, passed September 24, 2018. (Supp. No. 15)

Title 17 Zoning Code
Article 2 Zoning Districts, Allowable Land Use and Zone-Specific Standards
Chapter 17.220 Commercial Zoning Districts

Section 17.220.010 Purpose of commercial zoning districts.

The purpose of the individual commercial zoning districts, and the manner in which they are applied, are as follows.

A. CN (Commercial Neighborhood) District.

B. CG (Commercial General) District.

C. CC (Commercial Community) District.

D. CD (Commercial Downtown) District.

E. CRR (Commercial Regional Retail) District.

F. CRB (Commercial Regional Business Park) District.

Section 17.220.015 Commercial district land use and permit requirements.

A. Table 2-5 (Allowed Uses and Permit Requirements for Commercial Zoning Districts) identifies the uses of land allowed by this Title in the commercial zoning districts, and the land use permit required to establish each use in compliance with Subsection 17.200.020.B. (Determination of Allowable Land Uses and Permit Requirements).

Note: Where the last column in the tables ("See Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

Table 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts

P Permitted Use
CUP Conditional Use Permit Required
AUP Administrative Use Permit Require
- Use not allowed

Permit Requirement by District							
Land Use(1)	CN	CG	CC	CD	CRR	CRB	See Specific Use Regulations:
Retail Trade							
Firearms sales	-	CUP	CUP	-	CUP	CUP	

Article 4 Standards for Specific Land Uses
Chapter 17.400 Standards for Specific Land Uses

Section 17.400.050 Firearms sales.

This Section provides location and operating standards for firearms sales in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

B. Distance Separation. A minimum linear distance of 1,000 feet shall be required to separate all establishments that offer firearms for sale from all other establishments that offer firearms for sale, and from parks, playgrounds, and primary and/or secondary schools.

Cypress Code of Ordinances
Codified through Ordinance No. 1172 and the July 2018

Appendix I Zoning
Article 2 Zoning Districts and Allowable Land Uses
Section 6 Commercial Zoning Districts

Section 2.06.030 Commercial zoning district land uses and permit requirements.

A. Allowed land uses. Table 2-6 indicates the uses allowed within the OP, CN, CG, and CH zoning districts, and the land use permit required to establish each use, in compliance with article 4 (Land Use and Development Permit Procedures).

B. Prohibited land uses. Any table cell with a "—" means that the listed land use is prohibited in that specific zoning district.

Table 2-6 Allowable Uses and Permit Requirements for Commercial Zoning Districts

Key to Table
P Permitted Use
C Conditional use—Conditional Use Permit required (See Subsection 4.19.070)
"—" Use not allowed
S Site Review by Design Review Committee
TUP Temporary Use Permit

Permit Requirement by District					
Land Use	OP	CN	CG	CH	See Section
Retail Trade					
Sporting Goods Stores, With Firearms	—	C	C	C	

Article 4 Land Use and Development Permit Procedures
Section 19 Permit Review and Decisions

Section 4.19.090. Home occupation permits.

D. Prohibited home occupations. The following uses, either by operation or nature, are considered not to be incidental to or compatible with residential activities or therefore shall not be allowed as home occupation activities:

12. Sale of alcohol, explosives, hazardous products and/or wastes, firearms, and/or ammunition;

Article 6 Definitions
Section 31 Definitions

Section 6.31.020. Definitions of specialized terms and phrases.

The following "land use" definitions are in alphabetical order.

Firearm sales. The retail sale of firearms or ammunition by a firearms dealer, whether it is the principal sales item or incidental to the overall sales. This use includes firearms dealers that transfer and lease any firearms.

Daly City Code of Ordinances
Codified through Ordinance No. 1417, passed January 22, 2018. (Supp. No. 27)

Title 9 Public Peace, Morals Welfare
VII Offenses by or Against Minors
Chapter 4.46 Minors and Weapons

Section 9.46.010 Sale of firearms.

No person shall expose for sale, sell or offer for sale, barter or exchange or offer to barter or exchange to or with any minor under the age of eighteen years, any pistol or other firearm or any instrument capable of receiving or discharging any charge of powder, cartridge or other explosive, or any cartridge or metallic cap, whether loaded or not with ball.

Section 9.46.020 Possession of firearms.

No person under the age of eighteen years shall have in his possession, expose, use or discharge any pistol or other firearm, or have in his possession any instrument capable of receiving or discharging any charge of powder, cartridge or other explosive, or any cartridge or metallic cap whether loaded with ball or not.

VIII Weapons
Chapter 9.54 Junk Guns

Section 9.54.130 Trigger locks.

After March 1, 1997, no wholesale or retail firearms dealer in the city shall sell, lease or otherwise transfer a firearm without also selling or providing with each firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm. In addition, the dealer shall not deliver a firearm to a purchaser, lessee or transferee unless the firearm is unloaded and securely wrapped or unloaded and in a locked container.

Section 9.54.140 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of the chapter shall be punishable by a fine of not more than one thousand dollars or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Pursuant to Section 1.12.050, the city attorney may proceed with the prosecution of a violation of the provisions of this chapter as an infraction. Every person convicted of an infraction for violation of the provisions of this chapter shall be punishable as set out in Section 1.12.020. Each person violating this chapter shall be guilty of a separate offense for each and every day

during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Title 17 Zoning
Chapter 17.36 Home Occupations

Section 17.36.040 Excluded occupations.

The following occupations and those of similar character shall not be considered secondary to the use of a residential dwelling and shall not be allowed: …, firearm sales, contractor's office where employees report or assemble prior to going to the job site, roofing businesses and appliance and computer businesses where the repair is performed at the home.

Danville Code of Ordinances
Codified through Ordinance No. 2018-08, passed July 17, 2018.

Volume I General Regulations
Chapter IV Police Regulations
4-1 Dangerous Materials

Section 4-1.2 Weapons[3].

a. Firearms Possession by Minors. No minor under the age of sixteen (16) years shall possess or use firearms of .22 calibre or greater or air guns except under the direct supervision and control of an adult.

c. Firearms Enforcement Officer. The Danville Police Department shall be responsible for the enforcement of this section.

d. Firearms Ammunition Sale to Minors. No person shall sell or give to any minor under the age of sixteen (16) years any ammunition capable of being used in any firearm, unless the minor is accompanied by a parent, legal guardian or adult authorized by the parent.

[3]Editor's Note: For the statutory provisions regarding the regulations of firearms generally, see Penal Code 467, §§11106 and 12000ff; for the provision that the State has preempted registration and licensing of firearms, see Government Code 9619; for the provisions regarding sale of weapons to children, see Penal Code §§12072 and 12550ff.

Davis Code of Ordinances
Codified through Ordinance No. 2541, effective November 13, 2018.

Chapter 8 Buildings
Article 8.14 Minimum security Building Standards

Section 8.14.140 Alarm systems.

(a) The establishments listed in this subsection and those businesses reasonably similar in nature shall be protected by a central station silent robbery alarm:

(4) Gun and ammunition stores;

Del Mar Code of Ordinances
Codified through Ordinance No. 941, adopted September 17, 2018. (Supp. No. 2, Update 1)

Title 9 Public Safety, Peace and Welfare
Chapter 9.12 Firearms

Section 9.12.010 Definitions.

For purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

B. Firearm means any weapon from which a missile, such as but not limited to, a bullet, ball or shell, is hurled by an explosion or by means of compressed air or gas.

Delano Code of Ordinances

Codified through Ordinance No. 2018-1298, passed February 20, 2018. (Supp. No. 7)

Title 9 Public Peace, Morals and Safety
IX Weapons
Chapter 9.64 Ammunition Sales

Section 9.64.010 Ammunition sales.

A. The term "**firearm ammunition**" as used in this chapter shall include any ammunition for use in pistols, revolvers, rifles, shot guns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of any explosion or other form of combustion.

B. Exception as specified in subsections C and D of this section, no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during the period of seven days prior to the first day of January of each year, or on the first day of January of each year, or each year during the seven days prior to the Fourth of July of each year or on the Fourth of July of each year.

C. Nothing in this section shall prohibit sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to a retail gun dealer, or of ammunition requested by Section 12324 of the Penal Code of the State of California.

D. Nothing in this section shall prohibit sale to or acquisition by any person described in Section 12302 or 12322 of the Penal Code of the State of California.

E. The provisions of this section shall not apply to the sale of any firearm ammunition when such sale is prohibited by Sections 12303, 12303.6, 12304 or 13231 of the Penal Code of the State of California, or is otherwise prohibited by Chapter 2.5, Title 2, Part 4, of the Penal Code of the State of California.

Title 20 Zoning
Chapter 20.11 Specific Use Development Standards

Section 20.11.245 Swap meet.

10. The following items are prohibited for sale or purchase at a swap meet:

a. Firearms, ammunitions, fireworks, popping caps, dynamite, or any other explosive material;

Diamond Bar Code of Ordinances

Codified through Resolution No. 2003-21, enacted May 6, 2013. (Supp. No. 31, Update 1)

Title 5 Business Licensing
Chapter 5.08 Operating Requirements for Specific Businesses Regulated

Section 5.08.060 Firearm dealers.

(a) Definitions. For purposes of this chapter, the following terms shall have the following meanings:

(1) Engages in the business means the conducting of a business by selling, leasing, or otherwise transferring, for a consideration, any firearm, firearm munition or firearm ammunition component; or the holding of one's self out as engaged in the business of selling, leasing or otherwise transferring for a consideration any firearm, firearm munition, or firearm ammunition component in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(2) Firearm shall include, without limitation, any revolver, pistol or any other device designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or other form of combustion.

(3) Firearm ammunition means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

(4) Firearm ammunition component means any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used to manufacture ammunition.

(5) Firearm dealer means any person who engages in the business of selling, leasing or otherwise transferring for a consideration to members of the public any new or used firearm, as well as any firearm ammunition or any firearm munition component.

(b) Application information.

(1) License form. Any license issued to operate as a gun dealer shall be on a form approved by the city.

(2) Application form. Notwithstanding any other provision of this chapter, every applicant for a gun dealer license shall fill out the application form prescribed by the California State Attorney General in addition to the city's application for a business license.

(c) Minimum criteria for issuance of a license. In addition to the applicant's compliance with all other requirements of this title, a background check and recommendation pertaining to the applicant, and the applicant's existing and prospective manager(s) and employee(s) will be referred to and conducted by the director and the sheriff's department. In addition to compliance with all the requirements of this title and obtaining a favorable background recommendation from the Los Angeles County Sheriff's Department, the applicant must meet the following criteria:

(1) The applicant, and any existing or prospective manager and employee, must be at least 21 years of age.

(2) The applicant must be properly licensed as required by all applicable federal and California laws.

(3) The applicant, or any existing or prospective manager or employee, must not have had a similar type of license previously revoked or denied for good cause within the immediately preceding two years prior to the license application.

(4) The applicant, and any existing or prospective manager and employee, must not have been convicted of:

a. Any offense so as to disqualify the applicant, manager or employee from owning or possessing a firearm under applicable federal and California laws;

b. Any offense relating to the manufacturing, sale, possession, use or registration of any firearm or other dangerous or deadly weapon;

c. Any offense involving the use of force or violence upon the person of another;

d. Any offense involving theft, fraud, dishonesty or deceit;

e. Any offense involving the manufacture, sale, possession or use of any drug or controlled substance itemized on any schedule pertaining to drugs and other controlled substances of the California Health and Safety Code.

(5) The applicant, or any existing or prospective manager or employee, must not have been adjudicated to be mentally incompetent, or have been committed to a mental institution.

(6) The applicant must demonstrate that:

a. The location for which the license is sought is not located within 500 feet of a public or private day care center or school, or a public park.

b. The location for which the license is sought is not located within 500 feet from any other premises operated by a gun dealer licensee.

(7) The applicant must provide a copy of each of the following:

a. Valid federal firearms license;

b. Valid seller's permit issued by the state board of equalization; and

c. Valid certificate of eligibility issued by the department of justice.

(d) Issuance of license subject to conditions. Any and all licenses granted pursuant to this chapter are subject to the following conditions, in addition to any conditions imposed by the director, breach of any of which subjects the license to revocation:

(1) The business activity shall be carried on only in the building designated in the license, which shall be located in a properly zoned commercial district, unless the gun dealer qualifies as a home occupation under federal and state law and is in full compliance with the home occupation provisions contained in the Diamond Bar Zoning Ordinance. In no event shall a licensee, operating as a home occupation, store or maintain firearms, ammunition, or any firearms ammunition component within the residential dwelling in which the business is being conducted. Notwithstanding any other provision of this title, a license under this chapter shall be required for gun dealers operating as a home occupation.

(2) If the applicant is not the owner of record of the building within which, and the real property upon which, the gun dealer business is to be located and conducted, then he or she shall obtain prior written consent from the owner of record of such building and real property to operate a firearm dealer business, and such written consent from the owner of record shall be attached to the city's business license application.

(3) All federal, California and city-issued licenses, permits or copies thereof, certified by the issuing authority, shall be posted in a conspicuous manner on the premises in which the business is being conducted.

(4) No firearm, firearm ammunition or reproduction of either advertising the sale, lease or transfer, for a consideration of either, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) The licensee shall maintain on the licensed premises accurate records of all firearm and ammunition sales, as well as a complete inventory of all firearms in stock, by classification and serial number, for a period of not less than three years.

(e) The records required by this section pertaining to the recordation of firearm and ammunition sales shall indicate:

(1) The date that the purchaser purchased the firearm(s) and/or ammunition;

(2) The purchaser's name, address and date of birth;

(3) The purchaser's driver's license number or other identification number and state where issued;

(4) The make, brand, model and/or type of firearm(s) purchased;

(5) The brand of ammunition purchased;

(6) The type and amount of ammunition purchased;

(7) The purchaser's thumbprint, from both the right hand and left hand; and

(8) The purchaser's signature.

(f) This information required by this section shall be recorded at the time of purchase and shall be maintained in a log book in a form substantially as follows:

Ammunition/Firearm Sales Records Log

Store: / /

Date Address Date of Birth Driver's License/ID Number and State Firearm Make/Brand/Model/Type Purchased Ammunition Brand and Amount Purchaser's Signature

(g) The licensee's firearm and ammunition sales records and firearm and ammunition inventory records shall be open to inspection at the request of the city or the Los Angeles County Sheriff's Department.

(h) The licensee shall also provide the city with an annual report of the gross revenue received during the previous year itemized by the quantity and classification of firearms and ammunition sold on a form provided by the city signed under penalty of perjury.

(i) The licensee shall not sell, lease or otherwise transfer for any consideration any firearm:

(1) Within 15 days of the application for the purchase, or, after notice by the department of justice ("department") pursuant to Penal Code 12076, within 15 days of the submission to the department of corrected copies of the register, or, within fifteen days of the submission to the department of any fee required pursuant to Penal Code 12076, whichever is later.

(2) To any person who is forbidden by city, state or federal law from buying or possessing a firearm.

(3) Whenever the dealer is notified by the department of justice that a purchaser is in a prohibited class described in Penal Code 12021 or 12021.1 or Welfare and Institutions Code 8100 or 8103.

(j) The licensee shall provide all firearm purchasers comprehensive instructions, prepared by the licensee and approved by the city, pertaining to the use, maintenance, storage and safety precautions relating to the firearm purchased.

(k) The licensee shall comply with all security measures imposed by the license issued pursuant to this chapter upon recommendation of the Los Angeles County Sheriff, including but not limited to locks, lighting, alarms, storage and access to firearms.

(l) The licensee shall comply with all applicable sections of the California Penal Code, including but not limited to Sections 12071, 12072, 12073, 12076, 12077 and 12316.

(m) The licensee shall conduct a criminal background check on prospective manager(s) or employee(s).

Dinuba Code of Ordinances
Codified through Resolution No. 2018-07, passed September 25, 2015.

Title 9 Public Peace, Safety and Morals
VIII Weapons
Chapter 9.72 Minors and Firearms

Section 9.72.010 Minor possession of firearm, exceptions.

It is unlawful for any person under the age of eighteen years to have a firearm in his possession within the city limits at any time, except when:

A. He is in the company of one of his parents;

B. He is within the walls of his home;

C. He is handling merchandise in the course of services of a carrier of the post office or a licensed retail merchant;

D. In connection with starting guns, he is acting as an equipment athletic manager or starter in an athletic contest;

E. In connection with stage properties for dramatic productions;

F. In connection with a drill, demonstration or parade under the jurisdiction and control of a public school or a branch or reserve force of the armed forces of the state or the United States;

G. In connection with a shooting gallery, practice range, training school or skeet field conducted at a fixed location and with adequate safeguards, for which a permit has been issued by the chief of police and under the control of qualified supervisors or instructors approved by the chief of police; or He is in the company of a police officer or qualified supervisor or instructor approved by the chief of police.

Title 17 Zoning
Chapter 17.54 Uses Allowed in Industrial Districts

Section 17.54.020 Matrix symbols.

The following symbols are used to describe the relationship of the listed uses to each of the zones:

“P” indicates that a use is permitted by right;

“A” indicates that an administrative site plan is required;

“U” indicates that a use permit is required;

“ ”, or a blank box, indicates that a use is prohibited. (Ord. 2008-05 § 1 (part), 2008)

Section 17.54.030 Use matrix, industrial districts.

Uses	M-1	M-2
Firearms manufacture	U*	A
Gunsmith shops	A	

Use is conditional; provided, that, on the basis of the use permit application and the evidence submitted, the planning commission makes the following findings in addition to the findings prescribed in Chapter 17.80:

1. That consideration of all the determinable characteristics of the use which is the subject of the application indicated that the use has the same essential characteristics as the uses permitted in the M-1 district, with respect to methods of operation, type of process, materials, equipment, structures, storage and appearances;

2. If the use involves nuisance or hazardous characteristics, that the application includes sufficient evidence to indicate that measures are planned to eliminate the nuisance or hazardous characteristics.

Dixon Code of Ordinances
Codified through Resolution No. 18-007, passed August 28, 2018.

Title 18 Zoning
Chapter 18.30 Home Occupations

Section 18.30.090 Exclusions.

The following activities and like uses shall not in any case qualify as a home occupation:

J. Sale, transfer, lease, or advertising of firearms, munitions, explosives, or other destructive devices.

Downey Code of Ordinances
Codified through Resolution No. 18-1397 and the August 2018 code supplement.

Article IX Land Use
Chapter 4 Regulations for Special Uses and Structures
Section 9420 Special Events

Section 9420.00 Garage, yard, moving, and estate sales.

(f) Prohibitions. It is unlawful for any person to exchange, barter, trade, or sell any of the following at a garage, yard, moving, or estate sale: firearms, ammunition, or explosives; undomesticated animals and livestock; any item of personal property from which the serial number has been removed; or any other item prohibited by City, county, state, or federal law.

Dublin Code of Ordinances

Codified through Resolution No. 13-18, passed November 20, 2018.

Title 5 Public Welfare
Chapter 5.88 Dangerous Weapons

Section 5.88.010 Definitions.

For the purposes of this chapter, the following words shall have the following meanings set out in this section:

"Dangerous weapon" means and includes:

1. Any firearm, air rifle, B-B gun, air gun, sling, sling shot, or other similar instrument or device designed or intended to discharge or capable of discharging a bullet, shot, or other missile of any kind.

"Firearm" means any device, designed to be used as a weapon, from which a bullet, shot or other missile of any kind is expelled through a barrel, by the force of any explosion or other form of combustion.

5.88.030 Use, possession, discharge and sale—Minors—Prohibited.

Except as otherwise provided in Section 5.88.040, it is unlawful for any person in the city to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

5.88.040 Exceptions.

Nothing herein shall be deemed to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some adult person; nor to prohibit any minor from using or having in his possession or control any dangerous weapon which is in good faith in his possession or control or use of his lawful occupation or employment or for the purpose of lawful recreation.

East Palo Alto Code of Ordinances

Codified through Resolution No. 413, enacted March 10, 2018. (Supp. No. 19)

Title 5 Business Licenses and Regulations

Chapter 5.28 Firearms Dealers

Section 5.28.010 Purpose.

It is the purpose of the ordinance codified in this chapter to establish, as authorized by state Penal Code Section 12071, a local licensing scheme for persons engaged in the business of selling, transferring, manufacturing or leasing firearms and munitions and in related activities.

Section 5.28.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

"Engaging in the business" means any person who devotes time, attention and labor to dealing in firearms as a regular course of trade, principal objective of livelihood and profit through the repetitive purchase and resale of firearms.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or other form of combustion.

"Firearm ammunition" means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

"Firearm ammunition component" means any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used in the manufacture of ammunition.

"Firearms or munitions dealer" means a person engaged in the business of selling, transferring or leasing of any firearm or munitions pursuant to a Bureau of Alcohol, Tobacco and Firearms License of Types 1, 2, 6, 7, 8, 9, 10 or 11.

"Firearms or munitions manufacturer" means a person engaged in the business of manufacturing firearms or ammunition for the purposes of sale or distribution.

"Munitions" means any projectile or explosive substance for use with any firearm.

"Saturday night special" means any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 1200(a), which contains a frame, barrel, breech block, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy, or other material of equal or higher tensile strength;

2. A semi-automatic pistol which:

a. Is not originally equipped by the manufacturer with a locked breech action, and

b. Is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute,

c. For purposes of this subsection 2, "semi-automatic pistol" means a firearm, as defined in California Penal Code Section 1200(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber, (ii) ejects the fired cartridge case, and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276;

3. A pistol, revolver or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 1200(a), which:

a. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech pressures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

b. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

c. Is not originally equipped by the manufacturer with a safety guard surrounding the trigger, or

d. If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

"Saturday night special" does not include any of the following:

1. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

2. Any pistol for which the propelling force is classified as pneumatic; that is, of, related to, compressed air or any other gases not directly produced by combustion; or

3. Children's pop guns or toys; or

4. An "unconventional pistol" as defined in California Penal Code Section 12020(c); or

5. Any pistol which has been modified to either render it permanently inoperable or permanently make it a device no longer classified as a Saturday night special.

Section 5.28.030 Permit required for the sale of firearms or munitions in addition to business license, zoning or other local permits.

No person, partnership, cooperative, corporation, firm or association shall engage in the business of operating or managing any business which sells, transfers, leases or offers, advertises for sale, transfers, leases or manufactures any firearm or munition without first obtaining a firearms dealer's permit from the chief of police of the East Palo Alto police department as set forth in this chapter. The permit required by this chapter shall be in addition to any other permits required by law.

Section 5.28.040 Roster of Saturday night specials prohibited from sales.

On or before January 1, 1997 the chief of police shall compile and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the chief determines to fit the definition of Saturday night special set forth in Section 5.28.020. This roster shall be reviewed annually to determine which firearms should be added or deleted from the roster.

Section 5.28.050 Saturday night specials, Sale, lease or transfer prohibited.

The licensee shall not sell, lease or otherwise transfer any Saturday night special.

Section 5.28.060 Firearm deliveries regulated.

The licensee shall not deliver a firearm to a purchaser, lessee or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container.

Section 5.28.070 Trigger locks required.

The licensee shall not sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm.

Section 5.28.080 Exemptions.

Nothing in this chapter relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States federal government for use in the performance of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the above mentioned persons in the performance of their official duties.

Section 5.28.090 Manner of application; fees.

An application for a permit under this chapter shall be filed with the chief of police under penalty of perjury on a form to be specified by the city. The application shall provide all relevant information to demonstrate the applicant's compliance with this chapter including a floor plan of the proposed business which illustrates the applicant's compliance with the security provisions of Section 5.28.120 of this chapter. The application shall also include a certification by the city planning department of the city that the applicant's business will not be located in a zoning district in which the operation of a firearms business is prohibited by law. The applicant shall provide all information requested including the proof of compliance with all applicable federal, state and local laws when required by the chief of police, or the application will not be deemed complete. The application shall be accompanied by the fees established by resolution of the city council for administering this chapter.

Section 5.28.100 City's right to investigation of any relevant facts.

The chief of police may cause to be conducted an investigation to determine whether the application meets all the requirements of federal, state and local laws and may require any and all additional information from an applicant that is deemed necessary to complete the investigation.

Section 5.28.110 Grounds for denial of application.

The chief of police shall give the applicant a written notice of the chief's decision to deny the application. The notice shall set forth the ground or grounds for the chief of police's decision. The chief of police shall deny the issuance of a permit when any of the following conditions exist:

A. The applicant, or any officer, employee or agent thereof who will have access and control over firearms, is under twenty-one (21) years of age.

B. The applicant is not licensed as required by all applicable federal, state and local laws.

C. The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has had a permit previously revoked or denied for good cause within the immediate preceding two years for failure to operate its business in compliance with the requirements of federal, state, or local law, including any conditions imposed by such laws.

D. The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has made a false or misleading statement of a material fact or an omission of a material fact in the application for a permit.

E. The applicant, or any officer, employee or agency thereof who will have access over firearms, has been convicted of the following:

1. Any offense which disqualifies the person convicted from owning or possessing a firearm under applicable federal, state and local laws;

2. Any offense related to the manufacture, sale, possession or registration of any firearm or dangerous or deadly weapon;

3. Any offense related to the manufacture, sale, possession or registration of any firearm or dangerous or deadly weapon;

4. Any offense involving theft, fraud, dishonesty or deceit;

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code Section 11007 as the definition now reads or may hereafter be amended to read.

F. The applicant, or any officer, employee or agent thereof who will have access and control over firearms, is an unlawful user of any controlled substance as defined by the California Health and Safety Code Section 11007 as the definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a dealer in firearms.

G. The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in firearms.

H. The operation of the business as proposed will not comply with all applicable federal, state and local laws.

I. The applicant, or any officer, employee or agent thereof proposes to operate the business in a location that is within one thousand (1,000) feet of a school or where such a business is prohibited by the city zoning ordinance.

J. The applicant, or any officer, employee or agent thereof, is not the owner of record of the real property at which the business is to be conducted, nor has a lease, license, or other entitlement to operate such business at such location and the written consent of the owner of record of such real property.

K. The premises at which such business is to be operated does not contain the security measures required by Section 5.28.120 of this chapter.

L. Any other grounds for denial that exist as specified in the East Palo Alto Municipal Code.

Section 5.28.120 Security.

Any business required to be licensed pursuant to this chapter shall adhere to security measures as required by the chief of police. Security measures shall include, but not be limited to, the following:

A. The provision of secure locks, windows, and doors, adequate lighting, and such fire and theft alarms as specified by the chief of police;

B. The storing of all firearms and munitions on the premises out of reach of customers in secure, locked facilities, so that access to firearms and munitions shall be controlled by the dealer, or employees of the dealer entrusted to handle firearms, to the exclusion of all others.

Section 5.28.130 Permit issuance, conditions, terms; right to inspect premises and records.

Any permit issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police and denial of any application to renew a permit or to obtain a future permit:

A. The business shall be carried on only in the building located at the street address shown on the city permit. This will prohibit any satellite sales locations including sales from the street and or vehicles.

B. The permittee shall observe all federal, state and local constraint on the operation of the permitted business including but not limited to California Penal Code Sections 12072(b), 12073, 12074, 12077 and 12082, to the extent that the provisions remain in effect.

C. The premises shall not be licensed to serve alcohol by the California Department of Alcoholic Beverage Control.

D. The primary nature of the business and any related business at the same location shall not be directed towards juvenile patrons.

E. The permittee shall keep complete and current records of all firearms transactions. In addition to the requirements in California Penal Code Sections 12073, 12076 and 12077, permittee must also keep a complete current inventory of all firearms in stock. This inventory shall include an entry for each weapon, with the classification, serial numbers, and any other information that is necessary or helpful in tracking the weapon.

F. Whenever prospective purchasers of firearms or supplies therefore conduct themselves in a manner which would lead a reasonable person to conclude that the purchasers may be intending to use the firearms to harm themselves or others, the permittee, or any officer, employee or agent thereof who will have access and control over firearms, shall inquire further into the reasons for such purchases. If the inquiry provides evidence which would confirm to a reasonable person, under similar circumstances, that the purchasers intend to use the firearms to harm themselves or others, the permittee, officer, agent or employee thereof shall decline to sell such prospective purchasers the firearms or supplies therefor.

G. The permittee consents to the city's inspection of the business premises and records in order for the city to establish continued compliance with the terms of the permit.

H. The permit shall not become effective until the permittee has obtained all other permits required by federal, state or local law, namely:

1. Federal Firearms License (obtained through the Bureau of Alcohol, Tobacco and Firearms);
2. Certificate of Eligibility (obtained through the California Department of Justice);
3. State Seller's Permit (obtained through the California State Board of Equalization); and
4. East Palo Alto zoning permit.

Section 5.28.140 Permit duration one year, Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance or automatically upon revocation or expiration of permittee's Federal Firearms License, whichever is earlier. Such permit may be renewed by the chief of police for additional periods of one year upon the approval of an application for renewal by the chief of police and

payment of the renewal fee established by city council resolution. A completed application for renewal shall be submitted to the chief of police at least forty-five (45) days prior to the expiration of the current permit or else the permit shall expire at the expiration of its term. If the application is submitted in a timely manner, the permit to operate shall continue in effect until two weeks after the chief of police mails written notice to the applicant denying renewal. The city permit shall be granted conditionally upon the applicant providing proof of a valid Federal Firearms License; the permit will not become effective until applicant shows proof of compliance with all applicable federal, state, county and city regulatory laws.

Section 5.28.150 Permit assignment.

The assignment or attempt to assign to any other person, any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 5.28.160 Permit, Grounds for revocation.

In addition to any other basis for revocation set forth in this chapter, any circumstances constituting grounds for denial shall also constitute grounds for revocation. Such revocation shall only occur after notice and an opportunity to respond in writing to the intention to revoke and written notice of revocation.

Section 5.28.170 Permit, Liability insurance.

No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city deems proper, executed by an insurance company approved by the city whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer, or lease, or offering or exposing for sale, transfer or lease, of any firearm. The minimum liability limits shall not be less than one million dollars ($1,000,000.00) for damage to or destruction of property in any one incident, and one million dollars ($1,000,000.00) for the death or injury to any one person. Such policy of insurance shall contain an endorsement providing that the policy will not be cancelled until notice in writing has been given to the city, addressed in care of the Chief of Police, 2415 University Avenue, East Palo Alto, CA 94303, at least thirty (30) days immediately prior to the time such cancellation becomes effective. Upon expiration of any such policy and if no additional insurance has been secured prior to the expiration thereof in the manner provided for the initial securing of a permit under this chapter, the permit shall be deemed cancelled without further notice or opportunity to be heard.

Section 5.28.180 Permit, Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing and health regulations, as well as the provisions of this chapter. A law enforcement officer may conduct compliance inspections to ensure conformance with all federal, state and local laws, and the provisions of this chapter.

Section 5.28.190 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, leasing, or manufacturing, or offering or exposing for sale, transfer, lease or manufacture, any firearms on the effective date of the ordinance codified in this chapter shall have a period of sixty (60) days after such effective date to comply with the provisions of this chapter. Nothing in this section shall, however, require the city to delay enforcement of any other provision of law.

Section 5.28.200 Violation, Misdemeanor.

Any person who conducts a business in violation of this chapter shall be guilty of a misdemeanor. In addition to any criminal penalties, any person who conducts a business in violation of this chapter shall be subject to a civil penalty of up to one thousand dollars ($1,000.00).

Article II Discharge and Possession of Firearms

Section 9.24.090 Possession by minor prohibited.

It is unlawful for any person under the age of eighteen (18) years to have in his possession in a public place any firearm, except as provided in Section 9.24.100.

Section 9.24.100 Exceptions, Age.

The provisions of Section 9.24.090 shall not apply to persons under the age of eighteen (18) in the following cases:

A. When such person is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of such person under the age of eighteen (18) years;

B. When the firearm is unloaded and either: (1) in a dismantled or take-down condition; or (2) completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof;

C. When such person is lawfully hunting pursuant to the provisions of the California Fish and Game Code and in possession of a hunting license issued as prescribed by that code.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor.

Section 9.24.110 Sale of certain firearms prohibited to minor.

No person shall sell, deliver or transfer ownership to any person under the age of eighteen (18) years any pistol, revolver or other similar weapons capable of being concealed upon the person and designed to discharge a solid projectile propelled by the expansion of a gas.

Article III Sale of Certain Firearms

Section 9.24.120 Licensing of retailers.

The provisions of Sections 12070, 12077, inclusive of the Penal Code of the state, pertaining to the licensing of retailers selling pistols, revolvers, and other firearms capable of being concealed upon the person, are adopted in the city and from and after the effective date of this chapter shall be in full force and effect in this city.

Section 9.24.130 Licensing authority.

The Police Chief of East Palo Alto is designated and appointed the duly constituted licensing authority for licenses under the foregoing Penal Code sections. Applications for licenses shall be made to the police chief and he/she is authorized to grant licenses, effective for one year from the date of issue, to enforce within the city the provisions of the foregoing Penal Code sections. The police chief shall obtain and, where necessary, prescribe forms to effectuate the purposes of the sections and to otherwise do all acts and things required to make effective and to enforce within this city the provisions of the sections of the California Penal Code.

Section 9.24.140 Forfeiture.

Licensees shall be subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

A. The business shall be carried on only in the building designated in the license.

B. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read.

C. No pistols or revolvers shall be delivered: (1) within three days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; (2) unless the purchaser either is personally known to the vendor or shall present clear evidence of his/her identity.

D. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

Section 9.24.150 Disposition of copies of register sheet.

Licensees shall, immediately upon receiving an application for purchase, mail a copy of the register sheet required to be maintained to the Bureau of Criminal Identification and Investigation and to the chief of police, as required by Penal Code Section 12076. The chief of police shall, upon receiving such copy, investigate and report to the retailer whether or not the purchaser is known to be a minor under the age of eighteen (18) years or within one of the classes of persons prohibited by Section 12021 of the Penal Code from owning or possessing such a weapon. Such persons include narcotics addicts, persons convicted of felonies and persons not citizens of the United States.

Eastvale Code of Ordinances

Codified through Ordinance No. 18-11, enacted October 24, 2018. (Supp. No. 8, Update 5)

Part B Land Development Code
Title 120 Planning and Zoning
Chapter 120.04 Standards Related to Specific Uses

Section 120.04.040 Home occupations.

(g) Prohibited home occupations.

(7) Firearms sales.

El Cajon Code of Ordinances
Codified through Ordinance No. 5074 and the August 2018 code supplement.

Title 5 Business Licenses and Regulations
Chapter 5.08 Amounts Payable

Section 5.08.250 Additional tax for dealers in firearms.

In addition to the license tax required by Section 5.04.050, a special license tax for a license as provided in Penal Code Sections 12071 to 12077 shall be paid by any person who engages in the business of selling or the business of otherwise transferring any pistol, revolver or other firearms capable of being concealed upon the person, or by any person otherwise desiring to comply with Penal Code Section 12071. The tax for such license shall be five dollars per year, or such sum as may hereinafter be fixed by ordinance or resolution of the city council, in addition to the amount of tax to be paid pursuant to Section 5.08.010 of this chapter.

Chapter 5.64 Swap Meets

Section 5.64.060 Prohibited items.

It is unlawful for any vendor to exchange, barter, trade or sell at a swap meet the following items of personal property:

A. Firearms, ammunition, explosives;

Title 9 Public Peace, Morals and Welfare
Division VIII Weapons
Chapter 9.92 Firearms

Section 9.92.020 Firearms—Sale to minors.

No person shall sell within the city to any minor child any dart, arrow or sharp-pointed missile, pistol, revolver, gun, rifle or any other firearm or device fired or discharged by explosives

Title 17 Zoning
Chapter 17.145 Commercial Zones

Section 17.145.150 Commercial land use table.

The following table lists uses that may be established in commercial zones. The abbreviations used in the land use table shall have the following meanings:

"P" means "permitted use"

"X" means "not permitted"

In addition to the abbreviated terms listed above, the land use table incorporates endnotes, which are indicated by numerical designators in the final column of the table. The numerical designators correspond with written notes listed at the bottom of the table. The notes provide additional information and direct readers to other applicable sections of the El Cajon Municipal Code.

Table 17.145.150 Commercial Land Use Table

	O-P	C-N	C-G	C-R	C-M	Notes
Commercial Uses						
Firearm and ammunition sales, new and resale	X	P	P	P	X	3
Gunsmith	X	P	P	P	X	1

1. Prohibited in SP 182. However, automotive service and repair uses are permitted with approval of a CUP in the portion of SP 182 that is also a part of Special Development Area No. 10 and zoned C-M.

3. Requires a Special Operations License for uses as described in ECMC Chapter 5.16.

Chapter 17.150 Industrial Zones

Section 17.150.170 Manufacturing zone land use table.

The following table lists uses that may be established in the manufacturing (M) zone. The abbreviations used in the land use table shall have the following meanings:

"P" means "permitted use"

In addition to the abbreviated terms listed above, the land use table incorporates endnotes, which are indicated by numerical designators in the final column of the table. The numerical designators correspond with written notes listed at the bottom of the table. The notes provide additional information and direct readers to other applicable sections of the El Cajon Municipal Code.

Table 17.150.170 Manufacturing Zone Land Use Table

	M	Notes
Ammunition manufacturing	P	2, 14

2. Small arms ammunition only. Nothing larger than 30-caliber ammunition.

14. Limited explosives storage allowed as accessory to an authorized primary use and subject to the Fire Code provisions and all local, state, and federal laws including the National Fire Protection Association.

Chapter 17.155 O-S (Open Space) Zone

Section 17.155.030 Conditional uses.

The following uses may be established in the O-S zone, subject to the granting of a conditional use permit, in accordance with the provisions of Chapter 17.50 or an administrative zoning permit in accordance with the provision of Chapter 17.40.

F. Firearms and archery;

El Centro Code of Ordinances
Codified through Ordinance No. 18-08, enacted October 16, 2018. (Supp. No. 108)

Chapter 18 Offenses and Miscellaneous Provisions
Article II Firearms

Section 18-25 Definition.

"Firearms" is defined, for purposes of this article, as a cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 18-28 Possession by minors, Prohibited.

It shall be unlawful for any person under the age of eighteen (18) years to have in his possession in a public place any firearm, except as provided in section 18-29.

Section 18-29 Same-Exceptions to prohibition.

The provisions of section 18-28 shall not apply to persons under the age of eighteen (18) years in the following cases:

(a) When under charge of adult. When such person is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of the person under the age of eighteen (18) years.

(b) Unloaded guns. When the firearm is unloaded and either (1) in a dismantled or "take-down" condition or (2) completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

Section 18-30 Sale to minors.

No person shall sell, deliver or transfer to any person under the age of eighteen (18) years ownership of any pistol, revolver or other similar weapon, capable of being concealed upon the person, designed to discharge a solid projectile propelled by the expansion of a gas.

Section 18-31 Violations.

Any person violating any of the provisions of this article and any parent or guardian of a minor person under the age of eighteen (18) years who knowingly permits or allows any such minor to purchase a weapon in violation of section 18-30 or to do any act in violation of any of the other prohibitions of this article shall be deemed guilty of a misdemeanor.

El Cerrito Code of Ordinances
Codified through Ordinance No. 2018-02, passed May 15, 2018. (Supp. No. 31)

Title 6 Business Permits and Regulations
Chapter 6.70 Permits to Sell Firearms

Section 6.70.010 Adoption of state Penal Code provisions.

The city adopts in whole provisions identical to those of Sections 12070 through 12084 of the state Penal Code, as though fully set forth herein.

Section 6.70.020 Permit required.

A. Any person engaged in the business of selling, transferring, leasing or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm must be licensed by the city to do so.

B. Such license shall consist of a permit issued by the police chief after a determination by the police chief that the applicant meets the standards for obtaining a permit based on the criteria contained herein.

C. A person shall not be deemed licensed to sell firearms until that person has obtained both the permit from the police chief and the use permit for the business site from the city planning commission.

Section 6.70.030 Application, Form, Fees.

An applicant for a permit from the police chief under this chapter, or an applicant for renewal of a permit from the police chief under this chapter, shall file with the police chief an application in writing, on a form to be furnished by the city. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state and local laws. The application for issuance or renewal of a permit from the police chief shall be accompanied by a nonrefundable fee set forth in the city's master fee schedule.

Section 6.70.040 Investigation by the police chief.

The police chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The police chief may require an applicant, or any officer, agent or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the police chief, and any other additional information which the police chief deems necessary to complete the investigation.

Section 6.70.050 Denial of police chief permit.

The police chief shall issue a permit unless he/she finds one or more of the following:

A. The applicant, or an officer, employee or agent thereof, is under the age of twenty-one years;

B. The applicant is not licensed as required by all applicable federal or state laws, or the applicant's inventory does not conform to the type of federal or state firearms permit issued to the applicant;

C. The applicant, or an officer, employee or agent thereof, has had similar type permit previously revoked or denied for good cause within the immediately preceding year;

D. The applicant, or an officer, employee or agent thereof, has knowingly made any false or misleading statement of a material fact in the application for a permit;

E. The applicant, or an officer, employee or agent thereof, fails or refuses to provide clear evidence of his/her identity, or any other information required by the police chief to complete his/her investigation.;

F. The applicant, or an officer, employee or agent thereof, has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable federal, state and local laws,

2. Any offense relating the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty or deceit,

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the state Health and Safety Code;

G. The applicant, or any officer, employee or agent thereof, is an unlawful user of any controlled substance as defined by the state Health and Safety Code, or is an excessive user of alcohol, to the extent that such use would impair his fitness to be a dealer in firearms;

H. The applicant, or an officer, employee or agent thereof, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his/her fitness to be a dealer in firearms.

Section 6.70.060 Hearing.

A. Any person whose application for a permit has been denied by the police chief shall have the right to a hearing before the police chief prior to the final denial of the permit.

B. The police chief shall give the applicant written notice of his/her intent to deny the application. The notice shall set forth the grounds for the police chief's intent to deny the application, and shall inform the applicant that he/she has ten days from the date of mailing of the notice to file a written request for a hearing.

C. Within ten days of mailing of the written notice by the police chief of his/her intent to deny the application, the applicant may appeal by requesting a hearing before the police chief. Such a request must be made in writing and must set forth

the specific grounds for the appeal. If the applicant files a timely request for a hearing, the police chief shall set a time and place for the hearing within ten days thereafter. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to the represented by counsel, and to confront and cross-examine any witness against them. The decision of the police chief to deny the application shall be in writing and shall be rendered within one week of the hearing.

D. An applicant may appeal the police chief's denial of a permit to the council by filing a written appeal with the city clerk within ten days after the decision by the police chief. The written appeal shall state the reasons for the appeal and shall be accompanied by the applicable fee for appeals to the council as established in the city's master fee schedule.

Section 6.70.070 Police chief permit conditions.

The permit issued by the police chief shall contain the following terms and conditions:

A. The permittee shall conduct business only in the premises designated in the police chief permit and planning commission use permit. This requirement, however, shall not prohibit the permittee from participating in gun shows or events which are specifically authorized by federal and state law upon compliance with federal and state law.

B. The permit issued by the police chief, or a copy thereof, certified by the police chief, shall be displayed on the premises and at gun shows where it can be easily seen.

C. No firearms shall be delivered:

1. Within fifteen days of the application for the purchase, or within fifteen days after submitting corrected copies of the register or any fee required by state Penal Code Section 12076;

2. Unless unloaded and securely wrapped or in locked container which is fully enclosed and securely locked by a padlock or similar locking device as required by state Penal Code Section 12026.1;

3. Unless the purchaser either is personally known to the permittee or presents clear evidence of his or her identity. Such evidence of identity may include a driver's license, state identification card, an armed forces I.D. card with the purchaser's signature and photograph, or similar documentation providing reasonable assurance of the purchaser's identity. No such documentation shall be accepted, however, unless it contains the purchaser's signature and photograph;

4. If the dealer is notified by the State Department of Justice that a purchaser is in a prohibited class described in state Penal Code Sections 12021 or 12021.1 or state Welfare and Institutions Code Sections 8100 or 8103.

D. No pistol, revolver or other firearm capable of being concealed upon the person or imitation thereof, or placard advertising their sale or other transfer, shall be displayed in any part of the premises where it can easily be seen from the outside.

E. Permittees shall agree to property and promptly process transfers of firearms pursuant to state Penal Code Section 12082.

F. Permittee shall keep a register of sales as required by state Penal Code Sections 12073 and 12077.

G. Permittee shall not sell, deliver or transfer any pistol, revolver, or other firearm capable of being concealed upon the person to any person under twenty-one years of age or any other firearm to any person under eighteen years of age.

H. The permittee shall post conspicuously within the licensed premises the following warning in block letters not less than three inches in height:

IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY ACCESS OF A CHILD, YOU MAY BE FINED OR IMPRISONED OR BOTH IF THE CHILD GAINS ACCESS TO AND IMPROPERLY USES THE FIREARM.

I. Commencing July 1, 1993, no pistols, revolvers or firearms capable of being concealed upon the person shall be delivered unless the purchaser or transferee presents to the permittee a basic firearm safety certificate.

J. The permittee shall offer to provide the purchaser or transferee of a firearm with a copy of the pamphlet described in state Penal Code Section 12080 (California Firearms Law) and may add the cost of the pamphlet to the sales price of the firearm.

Section 6.70.080 Use permit application and fee.

When the applicant has obtained a police chief permit, the applicant shall apply to the city planning department for a planning commission use permit. The applicant shall provide all information requested by the planning department. The application shall be accompanied by the nonrefundable fee set forth in the city's master fee schedule.

Section 6.70.090 Possessory interest in the property.

No application for a use permit shall be processed until the applicant provides proof satisfactory to the city planning department that the applicant, officer, employee or agent thereof has a possessory interest in the property at which the proposed business will be conducted.

Section 6.70.100 Site restrictions.

No use permit may issue for any location which is:

A. Within any residential zoning district;

B. Within any zoning district in which retail service is not a permitted or conditional use;

C. Within one thousand feet of the exterior limits of a dealer in firearms, a massage parlor or an adult entertainment establishment, except this subsection shall not apply to any dealer in firearms who is duly licensed by the state or federal governments and is operating and in business at such location more than two weeks prior to the date that the ordinance codified in this chapter is enacted;

D. Within two hundred fifty feet of the exterior limits of any premises occupied by a public or private day care center or day care home, elementary school, junior high or high school, except this subsection shall not apply to any dealer in firearms who is duly licensed by the state or federal governments and is operating and in business at such location more than two weeks prior to the date that the ordinance codified in this chapter is enacted.

Section 6.70.110 Use permit conditions.

All use permits approved by the city planning commission shall explicitly contain all of the following terms and conditions:

A. The possession of a valid police chief permit;

B. The possession of all licenses and permits required by federal or state laws;

C. Compliance with all of the terms and conditions contained in Section 6.70.070;

D. Compliance with all of the requirements of the city's building code, fire code and any other technical code or regulation of the city which may govern the use, occupancy, maintenance, construction or design of buildings or structures. The use permit shall also contain a condition that the applicant must obtain a final inspection from the city building official demonstrating full code compliance before the applicant may commence business at the premises at issue;

E. The doors, windows or other means of entry into the proposed business site shall be furnished with a system which will cause an audible alarm to sound on the exterior of the building, or a silent alarm to a centralized monitored facility signaling unauthorized entry;

F. A method of storage of inventory which is explosive or flammable at the proposed business site shall be in compliance with federal and state law and with the city's fire code;

G. All other conditions deemed by the planning commission to be necessary and proper to protect the public interest and welfare.

Section 6.70.120 Appeals to the city council.

Any person aggrieved by a decision of the city planning commission may appeal that decision to the council in the time and manner provided in Section 19.40.150 of this code.

Section 6.70.130 Authority to inspect.

Any investigation officials of the city shall have the right to enter the premises for which the use permit was obtained from time to time to make reasonable inspections to observe compliance with the conditions imposed by Section 6.70.110. A warrant shall be obtained whenever required by law.

Section 6.70.140 Revocation of use permit.

If the police chief, building official or any other person has reason to believe that the permittee is not in full compliance with the conditions imposed by Section 6.70.110, a report shall be made to the city planning official. After an investigation of the facts contained in the report, the city planning official may commence proceedings to revoke the use permit pursuant to Section 19.40.190 of this code.

Section 6.70.150 Expiration of police chief permit.

A. Police chief permits shall expire one year after the date of issuance. Such permits may be renewed by the police chief for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable renewal fee as required by the city's master fee schedule. The completed renewal application and the renewal fee must be received by the police chief no later than forty-five days prior to the expiration of the current permit.

B. The police chief shall inform the city planning official when a permit expires or when the renewal is denied by the police chief so that proceedings to revoke the use permit can be initiated.

C. A decision by the police chief regarding renewal of the permittee's police chief permit may be appealed in the manner provided for in Section 6.70.060.

Title 10 Public Peace, Morals and Welfare
Chapter 10.80 Weapons, Use and Sale

Section 10.80.020 Firearms, Minors.

It is unlawful for any person to sell to any minor, or to allow any minor in the city to carry explosive ammunition or any firearm, gun, rifle or other device discharging by the use of powder, air or spring, any bullet or shot of any kind, or any slingshot, bow and arrow (other than toy bow and arrow), bow gun or blow gun, except when accompanied by a parent or legal guardian. The provisions of this section shall not apply to the use of such firearms, ammunition, or other instruments, by minors in shooting galleries, or on ranges which have been approved by the council.

El Dorado Code of Ordinances
Codified through Ordinance No. 2018-02, passed May 15, 2018. (Supp. No. 31)

Part A General Code of Ordinances
Title 9 Public Peace, Morals and Welfare
Chapter 9.40 Possession of Firearms by Minors

Section 9.40.010 Use or possession restricted.

It is unlawful for any person under the age of 18 years to fire, discharge or shoot any firearm, rifle, gun or other device from which a bullet, pellet or projectile is discharged by means of powder, compressed air or springs or to possess any such firearm, rifle or gun unless accompanied by a person 21 years of age or older within the boundaries of any townsite or subdivision in the unincorporated territory of the County for which a final subdivision map or townsite plat has been filed for record in the office of the County Recorder.

El Monte Code of Ordinances
Codified through Ordinance No. 2928, passed May 15, 2018. (Supp. No. 29)

Title 5 Business Licenses and Regulations
Chapter 5.36 Firearms Sales

Section 5.36.010 License for sale of firearms.

When a business permit or license is to be issued to a business that is engaged in, or intends to engage in, the sale, resale, transfer, advertising, offering, or exposing for sale or transfer, of any pistol, revolver or other firearm capable of being concealed upon the person, said business permit or license shall be in the form prescribed by the Attorney General of the state pursuant to California Penal Code Section 12071. Said business permit or license shall be effective for not more than one year from the date of issue and be subject to the following conditions, for breach of any of which the business permit or license shall be subject to forfeiture:

A. The business shall be carried on only in the building designated in the business permit or license;

B. The business permit or license, or a copy thereof, certified by the city, shall be displayed on the premises where it can easily be seen;

C. No pistol or revolver shall be delivered:

1. Within fifteen (15) days of the application for the purchase and when delivered shall be unloaded and securely wrapped; nor

2. Be delivered unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

D. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of said premises where it can be readily seen from the outside.

The aforesaid conditions shall be printed on or securely affixed to said business permit or license in such a manner that said conditions are plainly visible when said business permit or license is displayed pursuant to subsection B of this Section.

Title 9 Public Peace, Morals and Welfare
Chapter 9.28 Weapons

Section 9.28.010 Definitions.

For the purpose of this chapter, certain words and phrases shall be construed as follows, unless it is apparent from the context that a different meaning is intended:

"Firearm" means any object capable of discharging or projecting any missile by the force of any explosion or other form of combustion, including but not limited to: shotgun, rifle, pistol, revolved, target pistol, target gun, tommy gun, spring gun, wham-o gun, or any other similar device capable of inflicting injury to person or damage to property.

Section 9.28.020 Possession by minors prohibited.

No person under eighteen (18) years of age shall own or possess any fireams. No person under eighteen (18) years of age shall wear, display, brandish or carry a firearm, a knife, an air gun or harmful device on public property in the city except in a bona fide transportation of said object from one private premises to another provided that during such transport said object is not readily useable by virtue of its being dismantled, unstrung or otherwise enclosed in a carrying case or similar container.

Section 9.28.030 Parental duty.

No parent, guardian, custodian or person in charge of any person under eighteen (18) years of age shall permit any such person under the age of eighteen (18) years to own, possess or use any firearm.

Section 9.28.040 Sale to minors prohibited.

No person shall sell, exchange, give, deliver, transport or loan any firearm to any person under eighteen (18) years of age.

Elk Grove Code of Ordinances

Codified through Ordinance No. 22-2018, passed October 24, 2018.

Title 4 Business Regulations
Division 1 General Provisions for Licenses and Permits
Chapter 4.10 Special Business Licenses and Employee Permits
Article I Applicability and Issuance

Section 4.10.005 License required.

C. No person shall, unless under and by authority of a valid unexpired and unrevoked special business license, conduct or operate within the City, whether singularly or in connection with another type of enterprise, the following:

1. Sales of concealable firearms, including gunpowder;

Title 23 Zoning
Division V Special Use Regulations
Chapter 23.82 Home Occupations

Section 23.82.060 Prohibited uses.

The following uses are expressly prohibited as home occupations:

B. Ammunition reloading, including custom reloading;

M. Retail sale from site, including but not limited to firearms and retail car sales.

Emeryville Code of Ordinances

Codified through Ordinance No. 18-004, passed October 2, 2018.

Title 5 Public Welfare
Chapter 20 Weapons
Article 2 Saturday Night Special/Junk Gun Sales Prohibition

Section 5-20.2.03 Definitions.

Except as provided in Section 5-20.2.04, the term **"Saturday night special,"** as used in this section, shall mean any of the following:

(a) A "pistol," "revolver," or "firearm capable of being concealed upon the person," as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat-treated carbon steel, forged alloy or other material of equal or higher tensile strength.

(b) A semi automatic pistol which:

(1) Is not originally equipped by the manufacturer with a locked breech action; and

(2) Is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

(3) For the purpose of this subsection (b), "semi automatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge:

a. Fires the cartridge in the chamber;

b. Ejects the fired cartridge case; and

c. Loads a cartridge from the magazine into the chamber.

d. "Semi automatic pistol" shall not include any assault weapons designated in California Penal Code Section 12276.

(c) A "pistol," "revolver," or "firearm capable of being concealed upon the person," as those terms are defined in California Penal Code Section 12001(a), which:

(1) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(2) Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(3) Is not originally equipped by the manufacturer with a nondetachable trigger guard; or

(4) If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

(5) For purposes of this subsection (c), "action mechanism," commonly known as the cycle of operation, shall mean the mechanism of a firearm by which the firearm is loaded, locked, fired and unloaded.

Section 5-20.2.04 Exclusions.

The term "Saturday night special" does not include any of the following:

(a) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

(b) Any pistol for which the propelling force is classified as pneumatic, i.e., of, or related to, compressed air or any other gases not directly produced by combustion; or

(c) Children's pop guns or toys; or

(d) An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12); or

(e) Any pistol which has been modified to either: render it permanently inoperable, or permanently render it a device which is no longer classified as a Saturday night special.

Section 5-20.2.05 Roster of Saturday Night Specials.

On or before January 1, 1997, the Chief of Police or his/her designee shall compile, publish, and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the Chief of Police or his/her designee determines fit the definition of Saturday night special set forth in Section 5-20.2.03.

Section 5-20.2.06 Notification.

Upon completion of a list of firearms to be placed on the roster for the first time, the Police Chief or his/her designee shall endeavor to send written notifications to the manufacturer of every firearm on said list and every dealer within the City who is licensed to sell and transfer firearms pursuant to Section 12071 of the California Penal Code and Title 5, Chapter 20, Article 3 of the Municipal Code. Such notification shall do the following:

(a) Identify the model number of the firearm which has been classified as a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code; and

(b) Advised the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday night special; and

(c) Advise the recipient that the burden of proof shall be on the recipient to demonstrate that the firearm does not constitute a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code.

Section 5-20.2.07 Reconsideration by the Chief of Police.

(a) Prior to the effective date of the ordinance codified in this article, the Chief of Police or his/her designee shall establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police or his/her designee to classify the firearm in question as a Saturday night special as defined in Municipal Code Section 5-20.2.03.

(b) Upon timely filing of one or more complete applications for reconsideration, the Chief of Police or his/her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code.

Section 5-20.2.08 Appeal of Classification.

(a) If the Chief of Police or his/her designee determines that the firearm under reconsideration has been properly classified as a Saturday night special, then the applicant(s) shall have the right to appeal the decision to the City Manager, and shall have the right to a hearing before the City Manager or his/her designee prior to inclusion of the firearm in question on the roster.

(b) The City Manager, or his/her designee, is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police or his/her designee to classify the firearm in question as a Saturday night special as defined in Municipal Code Section 5-20.2.03.

(c) The burden of proof shall be on the appellant(s) to demonstrate that the firearm does not constitute a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code.

(d) All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

(e) The City Manager or his/her designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the City Manager or his/her designee shall, based on the evidence presented, determine whether the firearm constitutes a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code.

(f) In all instances, the decision of the City Manager or his/her designee whether to classify the firearm in question as a Saturday night special as defined in Municipal Code Section 5-20.2.03 and to place said firearm on the roster is final.

Section 5-20.2.09 Publication of the Roster.

The Chief of Police or his/her designee shall place on the roster those firearms which have been determined to constitute a Saturday night special within the meaning of Section 5-20.2.03 of the Municipal Code. The Chief of Police or his/her designee shall cause the roster to be published in the following manner:

(a) Notification of the roster's completion shall be published at least once in the official newspaper as designated by the City and circulated in the City within fifteen (15) days after its completion; and

(b) A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the City Clerk of the City of Emeryville; and

(c) A copy of the roster, certified as a true and correct copy, shall be distributed to every dealer within the City who is licensed to sell and transfer firearms pursuant to California Penal Code Section 12071 and Title 5, Chapter 20, Article 3 of the Municipal Code.

Section 5-20.2.10 Effective Date of the Roster.

The roster shall become effective on the fifteenth day after its publication.

Section 5-20.2.11 Additions to the Roster.

Additions to the roster shall be made in accordance with the following procedures:

(a) Semi Annual Determination. On a semi annual basis, the Chief of Police or his/her designee shall determine the need to place firearms on the roster. Upon identifying one or more firearms as a Saturday night special, the City Manager or his/her designee shall prepare a draft list of the additions to the roster.

(b) Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the Chief of Police or his/her designee shall endeavor to send written notification in accordance with the aforementioned provisions of Section 5-20.2.06.

(c) Reconsideration by the Chief of Police. Any person notified by the Chief of Police or his/her designee pursuant to subsection (b) above, may apply for reconsideration of the classification of that firearm as a Saturday night special in accordance with the provisions of Section 5-20.2.07.

(d) Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday night special after reconsideration by the Chief of Police or his/her designee, the applicant may file an appeal to the City Manager and the City Manager or his/her designee shall hold a hearing in accordance with the provisions of Section 5-20.2.08.

(e) Additions of Firearms to Roster. After all appeals have been exhausted, the Chief of Police or his/her designee shall place on the roster those additional firearms which have been determined to constitute a Saturday night special within the meaning of Section 5-20.2.03. The Chief of Police or his/her designee shall cause the roster, as amended to include theses additional firearms, to be published in accordance with Section 5-20.2.09.

(f) Effective Date of Additions to the Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication as set forth in Section 5-20.2.10.

Section 5-20.2.12 Sale prohibited.

After January 1, 1997, no wholesale or retail firearms dealer, as licensed by the City of Emeryville in Title 5, Chapter 20, Article 3, of the Municipal Code, shall sell, offer, display for sale, give, lend, or transfer ownership of any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the California Penal Code.

Section 5-20.2.13 Exemptions.

Nothing in this article relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this article prohibit the use of any firearm by the above-mentioned persons in the performance of their official duties.

Section 5-20.2.14 Penalty.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this article shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punished accordingly. In addition, any person found to be in violation of this article shall be considered in noncompliance with the requirements of the Emeryville Municipal Code Title 5, Chapter 20, Article 3, and subject to the suspension and or revocation of a firearms dealer permit.

Section 5-20.2.15 Severability and Valiity.

This article shall be enforced to the full extent of the authority of the City of Emeryville. If any section, subsection, paragraph, sentence or word of this article is deemed to be invalid or beyond the authority of the City of Emeryville, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this article, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this article shall be deemed severable.

Chapter 30 Regulation of Firearms Dealers
Article 1 Sale of Firearms

Section 5-30.1.1 Definitions.

(a) "**Ammunition**" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof, but shall not include blank cartridges or ammunition that can be used solely in an "antique firearm" as that term is defined in Section 921(a)(16) of Title 18 of the United States Code.

(b) "**Applicant**" means any person who applies for a law enforcement permit, or the renewal of such a permit, to sell, lease or transfer firearms or ammunition.

(c) "**Chief of Police**" means the Chief of Police of the City of Emeryville or the Chief's designated representative.

(d) To "**engage in the business of selling, leasing, or otherwise transferring any firearm**" means to conduct a business by the selling, leasing or transferring of any firearm, or to hold one's self out as engaged in the business of

selling, leasing or otherwise transferring any firearm, or to sell, lease or transfer firearms in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(e) "**Firearm**" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion; provided, that the term "firearm" shall not include an "antique firearm" as defined in Section 921(a)(16) of Title 18 of the United States Code.

(f) "**Permittee**" means any person, corporation, partnership or other entity engaged in the business of selling, leasing, or otherwise transferring any firearm, which person or entity has obtained a law enforcement permit to sell, lease or transfer firearms.

Section 5-30.1.2 Law Enforcement Permit.

It is unlawful for any person, corporation, partnership or other entity to engage in the business of selling, leasing, or otherwise transferring any firearm within the City of Emeryville without a law enforcement permit, as required by this article.

Section 5-30.1.3 Application for Permit.

(a) An applicant for a permit or renewal of a permit under this article shall file with the Chief of Police an application in writing, signed under penalty of perjury, on a form prescribed by the City. The applicant shall provide all relevant information requested to demonstrate compliance with this article, including:

(1) The applicant's name, including any aliases or prior names, age and address;

(2) The applicant's Federal firearms license and California firearms dealer numbers, if any;

(3) The address of the proposed location for which the permit is sought, together with the business name, and the name of any corporation, partnership or other entity that has any ownership in, or control over, the business;

(4) The names, ages and addresses of all persons who will have access to or control of workplace firearms, including, but not limited to, the applicant's employees, agents and/or supervisors, if any;

(5) A certificate of eligibility from the State Department of Justice under Penal Code Section 12071 for each individual identified in subsection (a)(4) of this section demonstrating that the person is not prohibited by State or Federal law from possessing firearms;

(6) Proof of a possessory interest in the property at which the proposed business will be conducted, as owner, lessee or other legal occupant, and, if the applicant is not the owner of record of the real property upon which the applicant's business is to be located and conducted, the written consent of the owner of record of such real property to the applicant's proposed business;

(7) A floor plan of the proposed business which illustrates the applicant's compliance with security provisions, as outlined in Section 5-30.1.6;

(8) Proof of compliance with all applicable Federal, State and local licensing and other business laws;

(9) Information relating to every license or permit to sell, lease, transfer, purchase, or possess firearms which was sought by the applicant from any jurisdiction in the United States, including, but not limited to, the date of each application and whether it resulted in the issuance of a license, and the date and circumstances of any revocation or suspension;

(10) The applicant's agreement to indemnify, defend and hold harmless the City, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pursuant to the operation of the business, including attorney's fees, arising in any manner out of the negligence or intentional or willful misconduct of:

(i) The applicant;

(ii) The applicant's officers, employees, agents and/or supervisors; or

(iii) If the business is a corporation, partnership or other entity, the officers, directors or partners;

(11) Certification of satisfaction of insurance requirements, for applicants applying for a permit to sell firearms;

(12) The date, location and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(b) The application shall be accompanied by a nonrefundable fee for administering this article as established by City Council resolution.

Section 5-30.1.4 Investigation by chief of police and employee background checks.

(a) The Chief of Police shall conduct an investigation to determine, for the protection of the public health and safety, whether the law enforcement permit may be issued or renewed. The Chief of Police shall require the following individuals

to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, and any additional information which the Chief of Police considers necessary to complete the investigation:

(1) The applicant;

(2) All persons who will have access to or control of workplace firearms, including but not limited to the applicant's employees, agents and/or supervisors, if any.

(b) Prior to issuance or renewal of the permit, the Chief of Police shall inspect the premises to ensure compliance with this article.

(c) The Chief of Police may grant or renew a law enforcement permit if the applicant or permittee is in compliance with this article and all other applicable Federal, State and local laws.

Section 5-30.1.5 Grounds for permit denial or revocation.

(a) The Chief of Police shall deny the issuance or renewal of a law enforcement permit, or shall revoke an existing permit, if the operation of the business would not or does not comply with Federal, State or local law, or if the applicant or permittee:

(1) Is under twenty-one (21) years of age;

(2) Is not licensed as a dealer in firearms under all applicable Federal, State and local laws;

(3) Has made a false or misleading statement of a material fact or omission of a material fact in the application for a law enforcement permit, or in any other documents submitted to the Chief of Police pursuant to this article. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five (5) years;

(4) Has had a license or permit to sell, lease, transfer, purchase or possess firearms from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five (5) years;

(5) Has been convicted of:

(i) An offense which disqualifies that person from owning or possessing a firearm under Federal, State or local law, including, but not limited to, the offenses listed in Penal Code Sections 12021 and 12021.1;

(ii) An offense relating to the manufacture, sale, possession or use of a firearm or dangerous or deadly weapon or ammunition therefor;

(iii) An offense involving the use of force or violence upon the person of another;

(iv) An offense involving theft, fraud, dishonesty or deceit;

(v) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code;

(6) Is within a class of persons defined in Welfare and Institutions Code Section 8100 or 8103; or

(7) Is currently, or has been within the past five (5) years, an unlawful user of or addicted to a controlled substance as defined by the Health and Safety Code.

(b) Employees, agents or supervisors of the applicant or permittee may not have access to or control over workplace firearms until the Chief of Police has conducted an investigation pursuant to Section 5-30.1.4(a)(2), and verified that none of the conditions listed in subsection (a)(1), (4), (5), (6) or (7) of this section exist, as applied to those employees, agents or supervisors. A new law enforcement investigation and background verification of such persons must be conducted each time the permittee renews his or her permit, or applies for a new permit. Except as provided in subsection (c) of this section, the Chief of Police shall deny the issuance or renewal of a law enforcement permit, or shall revoke an existing permit, if the applicant or permittee allows any employee, agent or supervisor to have access to or control over workplace firearms prior to the completion of the law enforcement investigation and background verification of those persons, or if those persons have not undergone the law enforcement investigation and background verification process within the last three hundred sixty-five (365) days.

(c) Where an applicant is applying for a law enforcement permit to sell, lease or transfer firearms within the first ninety (90) days of the effective date of the ordinance codified in this article, and where the applicant has a preexisting firearms dealer business which complies with all applicable Federal, State and local laws:

(1) The applicant's current employees, agents or supervisors may continue to have access to or control over workplace firearms pending the completion of the Chief of Police's investigation and background verification.

(2) Where one (1) or more of the applicant's employees, agents or supervisors are found to be in violation of the conditions enumerated in subsection (b) of this section, the applicant shall have twenty-one (21) days from the mailing of written notification from the Chief of Police to verify that such persons have been removed or reassigned so that

they no longer have access to or control of workplace firearms. Failure of the applicant to comply with this subsection shall cause the Chief of Police to deny the application for a law enforcement permit.

(d) The law enforcement permit of any person or entity found to be in violation of any of the provisions of this article may be revoked.

Section 5-30.1.6 On-site security.

(a) If the proposed or current business location is to be used at least in part for the sale of firearms, the permitted place of business shall be a secure facility within the meaning of Penal Code Section 12071(c)(2).1

(b) If the proposed or current business location is to be used at least in part for the sale of firearms, all heating, ventilating, air conditioning, and service openings shall be secured with steel bars or metal grating.

(c) Any time a permittee is not open for business, every firearm shall be stored in one (1) of the following ways:

(1) In a locked fireproof safe or vault in the licensee's business premises that meets the standards for a gun safe implemented by the Attorney General pursuant to Penal Code Section 12088.2; or

(2) Secured with a hardened steel rod or cable of at least one-fourth inch (1/4") in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five (5) firearms may be affixed to any one (1) rod or cable at any time.

(d) Any time a permittee is open for business, every firearm shall be unloaded, inaccessible to the public and secured using one (1) of the following three (3) methods, except in the immediate presence of and under the direct supervision of an employee of the permittee:

(1) Secured within a locked case so that a customer seeking access to the firearm must ask an employee of the permittee for assistance;

(2) Secured behind a counter where only the permittee and the permittee's employees are allowed. During the absence of the permittee or a permittee's employee from the counter, the counter shall be secured with a locked, impenetrable barrier that extends from the floor or counter to the ceiling; or

(3) Secured with a hardened steel rod or cable of at least one-fourth inch (1/4") in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five (5) firearms may be affixed to any one (1) rod or cable at any time.

(e) Any time a permittee is open for business, any ammunition that is not principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code Section 12001(a), shall be inaccessible to the public and secured using one (1) of the methods mentioned in subsection (d)(1) or (2) of this section, except in the immediate presence of and under the direct supervision of an employee of the permittee.2

(f) The permitted business location shall be secured by an alarm system that is installed and maintained by an alarm company operator licensed pursuant to the Alarm Company Act, Business and Professions Code Section 7590 et seq. The alarm system must be monitored by a central station listed by Underwriters Laboratories, Inc., and covered by an active Underwriters Laboratories, Inc., alarm system certificate with a No. 3 extent of protection.3

(g) The permitted business location shall be monitored by a video surveillance system that meets the following requirements:

(1) The system shall include cameras, monitors, digital video recorders, and cabling, if necessary.

(2) The number and location of the cameras are subject to the approval of the Chief of Police. At a minimum, the cameras shall be sufficient in number and location to monitor the critical areas of the business premises, including, but not limited to, all places where firearms or ammunition are stored, handled, sold, transferred, or carried, including, but not limited to, all counters, safes, vaults, cabinets, cases, entryways, and parking lots. The video surveillance system shall operate continuously, without interruption, whenever the permittee is open for business. Whenever the permittee is not open for business, the system shall be triggered by a motion detector and begin recording immediately upon detection of any motion within the monitored area.

(3) In addition, the sale or transfer of a firearm or ammunition shall be recorded by the video surveillance system in such a way that the facial features of the purchaser or transferee are clearly visible.

(4) When recording, the video surveillance system shall record continuously and store color images of the monitored area at a frequency of not less than fifteen (15) frames per second.4 The system must produce retrievable and identifiable images and video recordings on media approved by the Chief of Police that can be enlarged through

projection or other means, and can be made a permanent record for use in a criminal investigation. The system must be capable of delineating on playback the activity and physical features of persons or areas within the premises.

(5) The stored images shall be maintained on the business premises of the permittee for a period not less than one (1) year from the date of recordation and shall be made available for inspection by Federal, State or local law enforcement upon request.

(6) The video surveillance system must be maintained in proper working order at all times. If the system becomes inoperable, it must be repaired or replaced within fifteen (15) calendar days. The permittee must inspect the system at least weekly to ensure that it is operational and images are being recorded and retained as required.

(7) The permittee shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch (1") in height:

THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

(h) The Chief of Police may impose security requirements in addition to those listed in this section prior to issuance of the law enforcement permit. Failure to fully comply with the requirements of this section shall be sufficient cause for denial or revocation of the law enforcement permit by the Chief of Police.

Section 5-30.1.7 Liability insurance.

(a) If the proposed or current business location is to be used for the sale of firearms, no law enforcement permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the City and executed by an insurance company approved by the City, insuring the applicant against liability for damage to property and for injury to or death of any person as a result of the theft, sale, lease or transfer or offering for sale, lease or transfer of a firearm, or any other operations of the business. The policy shall also name the City and its officers, employees and agents as additional insureds. The limits of liability shall not be less than one million dollars ($1,000,000.00) for each incident of damage to property or incident of injury or death to a person; provided, however, that increased limits of liability may be required by the City Attorney if deemed necessary.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until written notice has been given to the City Manager at least thirty (30) days prior to the time the cancellation becomes effective.

(c) Upon expiration of the policy of insurance, and if no additional insurance is obtained, the law enforcement permit is considered revoked without further notice.

Section 5-30.1.8 Location of business premises.

The business shall be carried on only in the building located at the street address shown on the permit. This requirement does not prohibit the permittee from participating in a gun show or event which is authorized by Federal, State and local law upon compliance with those laws.

Section 5-30.1.10 Restricted admittance of minors and other prohibited purchasers.

(a) Where firearm sales activity is the primary business performed at the business premises, no permittee or any of his or her agents, employees, or other persons acting under the permittee's authority shall allow the following persons to enter into or remain on the premises unless accompanied by his or her parent or legal guardian:

(1) Any person under twenty-one (21) years of age, if the permittee sells, keeps or displays firearms capable of being concealed on the person; or

(2) Any person under eighteen (18) years of age, if the permittee sells, keeps or displays only firearms other than firearms capable of being concealed on the person.

(b) Where firearm sales activity is the primary business performed at the business premises, the permittee and any of his or her agents, employees, or other persons acting under the permittee's authority shall be responsible for requiring clear evidence of age and identity of persons to prevent the entry of persons not permitted to enter the premises pursuant to subsection (a) of this section by reason of age. Clear evidence of age and identity includes, but is not limited to, a motor vehicle operator's license, a State identification card, an armed forces identification card, or an employment identification card which contains the bearer's signature, photograph and age, or any similar documentation which provides reasonable assurance of the identity and age of the individual.

(c) The permittee shall post the following conspicuously at each entrance to the establishment in block letters not less than one inch (1") in height:

(1) If the permittee sells, keeps or displays firearms capable of being concealed on the person, the sign shall state:

FIREARMS ARE KEPT, DISPLAYED OR OFFERED ON THE PREMISES, AND PERSONS UNDER THE AGE OF 21 ARE EXCLUDED UNLESS ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN.

(2) If the permittee sells, keeps or displays only firearms other than firearms capable of being concealed on the person, the sign shall state:

FIREARMS ARE KEPT, DISPLAYED OR OFFERED ON THE PREMISES, AND PERSONS UNDER THE AGE OF 18 ARE EXCLUDED UNLESS ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN.

(d) Where firearm sales activity is the primary business performed at the business premises, no permittee or any of his or her agents, employees, or other persons acting under the permittee's authority shall allow any person to enter into or remain on the premises who the permittee or any of his or her agents, employees, or other persons acting under the permittee's authority knows or has reason to know is prohibited from possessing or purchasing firearms pursuant to Federal, State, or local law.

Section 5-30.1.11 Inventory reports.

Within the first five (5) business days of April and October of each year, the permittee shall cause a physical inventory to be taken that includes a listing of each firearm held by the permittee by make, model, and serial number, together with a listing of each firearm the permittee has sold since the last inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is required to be reported pursuant to Penal Code Section 12071(b)(13). Immediately upon completion of the inventory, the permittee shall forward a copy of the inventory to the address specified by the Chief of Police, by such means as specified by the Chief of Police. With each copy of the inventory, the permittee shall include an affidavit signed by an authorized agent or employee on behalf of the permittee under penalty of perjury stating that within the first five (5) business days of that April or October, as the case may be, the signer personally confirmed the presence of the firearms reported on the inventory. The permittee shall maintain a copy of the inventory on the premises for which the law enforcement permit was issued for a period of not less than five (5) years from the date of the inventory and shall make the copy available for inspection by Federal, State or local law enforcement upon request.

Section 5-30.1.12 Display of law enforcement permit.

The law enforcement permit, or a certified copy of it, shall be displayed in a prominent place on the business premises where it can be easily seen by those entering the premises.

Section 5-30.1.13 Issuance of law enforcement permit – Duration.

(a) A law enforcement permit expires one (1) year after the date of issuance. A permit may be renewed for additional one (1) year periods if the permittee submits a timely application for renewal, accompanied by a nonrefundable renewal fee established by City Council resolution. Renewal of the permit is contingent upon the permittee's compliance with the terms and conditions of the original application and permit, as detailed in this article. Police Department personnel shall inspect the permitted business premises for compliance with this article prior to renewal of the permit. The renewal application and the renewal fee must be received by the Police Department no later than forty-five (45) days before the expiration of the current permit.

(b) A decision regarding issuance or renewal of the law enforcement permit may be appealed in the manner provided in Section 5-30.1.20.

Section 5-30.1.14 Nonassignability.

A law enforcement permit issued under this article is not assignable. Any attempt to assign a law enforcement permit shall result in revocation of the permit.

Section 5-30.1.15 Compliance by existing businesses.

A person engaged in the business of selling, leasing, or otherwise transferring any firearm on the effective date of the ordinance codified in this article shall, within ninety (90) days of the effective date, comply with this article.

Section 5-30.1.16 Law enforcement inspections.

Permittees shall have their places of business open for inspection by Federal, State and local law enforcement during all hours of operation. The Police Department shall conduct periodic inspections of the permittee's place of business without notice. Permittees shall maintain all records, documents, firearms and ammunition in a manner and place accessible for inspection by Federal, State and local law enforcement.

Section 5-30.1.17 Warning regarding secondary sales.

A permittee shall post conspicuously within the licensed premises the following warning in block letters not less than one inch (1") in height:

WITH FEW EXCEPTIONS, IT IS A CRIME TO SELL OR GIVE A FIREARM TO SOMEONE WITHOUT COMPLETING A DEALER RECORD OF SALE (DROS) FORM AT A LICENSED FIREARMS DEALERSHIP.

Section 5-30.1.18 Penalties.

(a) Any person violating any of the provisions of this article shall be guilty of an infraction. Any person convicted of an infraction under the provisions of this article shall be punished for a first conviction by a fine of not more than one hundred dollars ($100.00), for a second conviction within a period of one (1) year by a fine of not more than two hundred dollars ($200.00), and for a third or any subsequent conviction within a period of a year by a fine of not more than four hundred dollars ($400.00). After the third conviction, any repeat violation within one (1) year may be charged as a misdemeanor. Each such person shall be guilty of a separate offense for each and every day during any portion of which a violation of any provision of this article is committed or continued by such person and shall be punishable accordingly.

(b) In addition to any other penalty or remedy, the City Attorney may commence a civil action to seek enforcement of these provisions.

Section 5-30.1.19 Report of permit revocation to federal and state authorities.

In addition to any other penalty or remedy, the City Attorney shall report any person or entity whose law enforcement permit is revoked pursuant to this article to the Bureau of Firearms of the California Department of Justice and the Bureau of Alcohol, Tobacco, Firearms and Explosives within the U.S. Department of Justice.

Section 5-30.1.20 Hearing for permit denial or revocation.

(a) Within ten (10) days of the Chief of Police mailing a written denial of the application or revocation of the permit, the applicant may appeal by requesting a hearing before the Chief of Police. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the Chief of Police shall set a time and place for the hearing within thirty (30) days.

(b) The Chief of Police shall provide a written decision regarding the appeal within fourteen (14) calendar days of the hearing. An applicant may appeal the decision of the Chief of Police to the City Council in accordance with Chapter 4 of Title 1.

Section 5-30.1.21 Severability clause.

If any section, subsection, sentence or clause of this article is for any reason declared unconstitutional or invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this article or any part thereof. The City Council hereby declares that it would have adopted this article notwithstanding the unconstitutionality, invalidity or unenforceability of any one (1) or more of its sections, subsections, sentences or clauses.

Notes

[1] A "**secure facility**" is defined by Penal Code § 12071(c)(2) as a building that meets certain specifications, including: certain types of locks on all doorways; steel bars on all windows; and steel bars, metal grating, or an alarm system on all heating, ventilating, air conditioning, and service openings. State law allows a firearms dealer to avoid these requirements by utilizing other security features. See Penal Code § 12071(b)(14). Penal Code § 12071(b)(15) explicitly allows local jurisdictions to impose security requirements on firearms dealers that are stricter or at a higher standard than those imposed by State law.

[2] Penal Code § 12061(a)(2) addresses the storage of handgun ammunition by sellers. That provision is effective January 1, 2010. See AB 962 (De Leon). "Handgun ammunition" is defined as ammunition principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code § 12001(a). Penal Code § 12060(b).

[3] Underwriters Laboratories, Inc., uses the term "**extent of protection**" to refer to the amount of alarm protection installed to protect a particular area, room or container. Systems with a No. 3 extent of protection include complete protection for all accessible openings, and partial motion and sound detection at certain other areas of the premises. For more information, see Central Station Alarm Association, A Practical Guide to Central Station Burglar Alarm Systems (3rd ed. 2005).

[4] Television in the U.S. has thirty (30) frames per second. However, fifteen (15) frames per second is generally described as viewable, and is used in similar regulations. See, e.g., 02-392-013 Me. Code R. 6(6).

Title 9 Planning Regulations
Chapter 5 Citywide Use and Development Regulations
Article 6 Firearms and Ammunition Sales

Section 9-5.602 Home Occupations.

It is unlawful to engage in the business of selling, leasing, or otherwise transferring any firearm or ammunition as defined in this article as a Home Occupation as such term is defined in Article 8 of this chapter.

Section 9-5.603 Districts Where Allowed.

It is unlawful to engage in the business of selling, leasing, or otherwise transferring any firearm or ammunition as defined in this article in any district other than the INH Heavy Industrial zone.

Section 9-5.604 Location Requirements.

It is unlawful to engage in the business of selling, leasing, or otherwise transferring any firearm or ammunition in the following locations:

(a) Within two hundred feet (200') of any area zoned for residential use;

(b) Within five hundred feet (500') of any other business engaged in sale of firearms and ammunition;

(c) Within one thousand feet (1,000') of any public park, religious institution or elementary or secondary school.

The distance between any two (2) businesses engaged in the business of selling, leasing or otherwise transferring any firearm or ammunition shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business. The distance between any business engaged in the business of selling, leasing or otherwise transferring any firearm or ammunition and any residential district, religious institution, school, or public park shall be measured in a straight line, without regard to intervening structures, from the closest property line of the residential zone, religious institution, school, or public park to the closest exterior structural wall of the business engaged in the business of selling, leasing or otherwise transferring any firearm or ammunition.

Section 9-5.605 Conditional use permit required.

It is unlawful to engage in the business of selling, leasing, or otherwise transferring any firearm or ammunition without first obtaining a conditional use permit as provided in this article. No final action may be taken by the Planning Commission until the Emeryville Police Department has issued a law enforcement permit as required by Chapter 30 of Title 5. To grant a conditional use permit for the business of selling, leasing, or otherwise transferring any firearm or ammunition, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

(a) That the proposed business meets all of the location requirements of Section 9-5.604.

(b) That the proposed business will not be open between 5:00 p.m. and 9:00 a.m. daily.

(c) That the proposed business will comply with all applicable performance standards in Article 11 of this chapter.

Section 9-5.606 Conditions of approval.

In approving a conditional use permit for a business engaged in the business of selling, leasing or otherwise transferring any firearm or ammunition, the Planning Commission may designate such conditions as it deems necessary in order to fulfill the purposes of this article, and may require reasonable guarantees and evidence that such conditions are being, or will be, complied with. Such conditions shall not be less restrictive than the conditions attached to the law enforcement permit issued by the Emeryville Police Department, and may include, but are not limited to, designating hours of operation more restrictive than those listed in Section 9-5.605(b).

Section 9-5.607 Definitions.

(a) "Ammunition" shall mean ammunition or cartridge cases, primers, bullets, or propellant powders designed for use in any firearm, and any component thereof, but shall not include blank cartridges or ammunition that can be used solely in an "antique firearm" as defined in Section 921(a)(16) of Title 18 of the United States Code.

(b) "To engage in the business of selling, leasing or otherwise transferring any firearm or ammunition" means to conduct a business by the selling, leasing or transferring of any firearm or ammunition, or to hold one's self out as engaged in the business of selling, leasing or otherwise transferring any firearm or ammunition, or to sell, lease or transfer firearms or ammunition in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(c) "Firearm" shall mean any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion; provided, that the term "firearm" shall not include an "antique firearm" as defined in Section 921(a)(16) of Title 18 of the United States Code.

(d) "Public park" shall mean a park, playground, swimming pool, beach, pier, or athletic field within the City which is under the control, operation, or management of the City.

(e) "Religious institution" shall mean a building which is used primarily for religious worship and related religious activities.

(f) "School" shall mean an institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the California Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school, or a special institution of learning under the jurisdiction of the State Department of Education, but it does not

include a vocational or professional institution or any institution of higher education, including a community or junior college, college or university.

Escondido Code of Ordinances
Codified through Ordinance No. 2018-18 and the September 2018 code supplement.

Chapter 17 Offenses – Miscellaneous Provisions
Article 4 Weapons and Explosives
Division 1 Generally

Section 17-69 Exchanging, selling, etc., firearms, explosives at swap meets.

No person shall exchange, barter, trade or sell firearms or explosives at a swap meet.

Chapter 33 Zoning
Article 26 Industrial Zones

Section 33-564 Land uses.

(a) Principal Uses and Structures. The following Table 33-564 lists those uses which are permitted (P) or subject to a conditional use permit (C) in industrial districts. Major conditional use permits (C) and minor conditional use permits (C#) shall be processed pursuant to Article 61, Division 1 of this chapter.

Table 33-564 Permitted and Conditionally Permitted Principal Uses

Use Title	I-O	M-1	M-2	I-P
Ammunition manufacturing		C	C	

Article 44. Home Occupations

Section 33-854. General conditions.

(b) Prohibited uses. The following uses are not incidental and secondary to the use of the dwelling as a residence nor are they compatible with surrounding residential uses and shall be prohibited as home occupations, notwithstanding the provisions of any other section of this article.

(9) Ammunition, explosives, or fireworks sales, use, or manufacturing;

Eureka Code of Ordinances
Codified through Ordinance No. 879-C.S., passed October 16, 2018. (Supp. No. 22)

Title XI Business Regulations
Chapter 119 Second-Hand Dealers

Section 119.01 License required.

Any person engaging in the business of dealing in second-hand … firearms, diamonds, jewelry, silverware, old gold and silver, or either or any of such articles, either as merchant pawnbroker, or otherwise, shall make application to the Council for a license so to do. Such license may be granted by the City Clerk upon the payment of the license fee required and Council order by resolution. The City Clerk may thereafter from time to time renew such license upon the payment of the license fee; provided, however, the Council shall have the power to revoke such license upon good cause being shown.

Fairfield Code of Ordinances
Codified through Ordinance No. 2018-06, passed September 18, 2018.

Chapter 25 Zoning Ordinance
Article I Zoning
Division 2 Zoning Districts and Allowable Land Uses
Section 25.20 Residential Zoning Districts

Section 25.20.4.5 Home Occupations.

G. Firearms sales. Prior to receiving a Home Occupation Permit, firearms dealers shall provide a written statement to the Department specifying that:

1. No firearms, ammunition, or accessories shall be sold or offered for sale on the premises.

2. The exchange of firearms shall only be conducted at gun shows.

3. No stock in trade shall be kept on the premises, and no services shall be conducted on the premises.

In the event that Federal or State law prohibits the exchange of merchandise outside of the home (i.e., the business location), Home Occupation Permits for firearms sales shall become void.

Fontana Code of Ordinances
Codified through Ordinance No. 1780, adopted September 25, 2018. (Supp. No. 43)

Chapter 16 Miscellaneous Provisions and Offenses
Article IV Weapons
Division 1 Generally

Section 16-106 Applicability.

No portion of this article shall prohibit the possession of any firearm or any ordinary air rifle or pellet gun, or any ammunition for such weapons, if carried pursuant to a valid permit issued by a duly authorized government agency or lawfully carried for purposes of gun safety training, hunting, fishing or other lawful sport.

Section 16-109 Sale of weapons or ammunition to minors.

(a) No person shall sell, exchange, give or lend to any person under 18 years of age any snapblade, springblade or gravity knife, gun, revolver, pistol or firearm of any description, or any spring gun or airgun or other device designed or intended to discharge any pellets, BB shot, shot or other deadly or dangerous missile, or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated in this article.

(b) No portion of this section shall prohibit the giving to, lending to or possession by a minor of any air rifle, pellet gun, rifle, shotgun or pistol, or any ammunition for such firearm, air rifle or pellet gun, for the purposes set forth in sections 16-106 and 16-135, nor prohibit the selling thereof for such purpose, provided the minor has the written consent of a parent or legal guardian.

Fontana Zoning Code
Codified through Ordinance No. 1775, enacted June 12, 2018. (Supp. No. 24)

Chapter 30 Zoning and Development Code
Article II Administrative Procedures
Division 12 Home Occupation Permit

Section 30-79 Prohibited home occupation uses.

The following uses, either by operation or nature, are not incidental to or compatible with residential activities and shall therefore not be permitted as home occupations:

(8) Any business dealing with firearms, ammunition, explosives, or ancillary products.

Fountain Valley Code of Ordinances
Codified through Ordinance No. 1539 and the October 2018 code supplement.

Title 21 Development Code
Chapter 21.10 Commercial and Manufacturing Zoning Districts

Section 21.10.020 Purposes of commercial zoning districts.

The purposes of the individual commercial zoning districts and the manner in which they are applied are as follows:

1. CP (Professional Office) District.

2. C1 (Local Commercial) District.

3. C2 (General Commercial) District.

4. CM (Commercial Manufacturing) District.

5. M1 (Manufacturing) District.

Section 21.10.030 Commercial and manufacturing district land uses and permit requirements.

Table 2-6 identifies the uses of land allowed by this title in the commercial and manufacturing zoning districts, and the land use permit required to establish each use, in compliance with Section 21.06.030 (Allowable land uses and permit requirements) of this title.

Note: where the last column in the tables ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this title may also apply.

Table 2-6 Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts

P Permitted Use
CUP Conditional Use Permit required
— Use not allowed

Permit Required by District						
Land Use (1)	CP	C1	C2	CM	M1	Specific Use Regs.
Services						
Gunsmiths	—	—	—	CUP	CUP	

Chapter 21.42 Home Occupation Permits

Section 21.42.040 Prohibited home occupations.

The following uses, either by operation or nature, are considered not to be incidental to or compatible with residential activities or therefore shall not be allowed as home occupation activities:

(12) Sale of alcohol, explosives, hazardous products and/or wastes, fire arms and/or ammunition;

Foster City Code of Ordinances
Codified through Ordinance No. 622, passed October 15, 2018.

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.88 Firearms

Section 9.88.010 Firearms defined.

"Firearms" is defined as a cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of a gas, powder or air.

9.88.040 Possession by minor—Prohibited.

It is unlawful for any person under the age of eighteen years to have in his possession in a public place any firearm, except as provided in Section 9.88.050.

9.88.050 Possession by minor—Prohibition exceptions.

The provisions of Section 9.88.040 shall not apply to said persons under the age of eighteen in the following cases:

A. When said person is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of said person under the age of eighteen years;

B. When the firearm is unloaded and either (1) in a dismantled "take-down" condition, or (2) completely wrapped or in a carrying case for the purpose of carrying such firearm. A gun shall be deemed not to be loaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

9.88.060 Sale to minors prohibited.

No person shall sell, deliver or transfer ownership to any person under the age of eighteen years any pistol, revolver or other similar weapon and designed to discharge a projectile propelled by the expansion of a gas, powder or air.

Fowler Code of Ordinances
Codified through Ordinance No. 2017-03, passed August 15, 2017. (Supp. No. 15)

Title 5 Public Welfare
Chapter 4 Firearms

Section 5-4.03 Licenses.

It shall be unlawful for any person to engage in the sale of concealable firearms without a business license from the City Clerk and a license for the sale of concealable firearms from the Fowler Police Department.

Article 15 M-2 Heavy Industrial District

Section 9-5.1505 Uses Permitted Subject to a Conditional Use Permit

Uses permitted subject to a conditional use permit shall be as follows (see Article 25):

A. The following uses that involve nuisances or hazards to health and safety, provided that the Commission shall make a specific finding that the use can be expected to conform with each of the required conditions prescribed for a conditional

use permit. The Commission may require technical reports consultants or other evidence in addition to the data prescribed in Article 26.

17. Firearms manufacture;

Fremont Code of Ordinances
Codified through Ordinance No. 23-2018, passed October 2, 2018.

Title 5 Business Licenses & Regulations
Chapter 5.55 Firearms Dealers

Section 5.55.010 Citation of chapter.

This chapter may be referred to as the "firearms dealer permit ordinance."

Section 5.55.030 Definitions.

The following words and phrases, whenever used in this chapter, are defined as follows:

(a) "**Applicant**" means the firearms dealer as defined in this chapter who is making application to the city for a firearms dealer permit or gunsmith permit as required by Cal. Penal Code § 12071(a)(1).

(b) "**Chief of Police**" means the chief of police of the city or his/her designee charged with the administration of this chapter, subject to the administrative direction of the city manager.

(c) "**Collector of curios and relics**" means a person who is a collector of any antique firearm or any firearm which is a curio or relic as defined in §§ 178.11 et seq. of Title 27 of the Code of Federal Regulations and who only possesses a valid Bureau of Alcohol, Tobacco and Firearms Federal Firearms License of Type 03 (collectors of curios and relics).

(d) "**Engaged in business**" means the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal and state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of firearms in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(e) "**Firearms**" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or other form of combustion.

(f) "**Firearms dealer**" means a person engaged in the business of selling, transferring, leasing, or advertising for sale, transfer, or lease any firearm with the exception of a Bureau of Alcohol, Tobacco and Firearms Federal Firearms License of Type 03 (collectors of curios and relics) and Type 01 (limited to those who engage only in gunsmith activities and do not conduct any sales transactions). Included in this definition are persons involved solely in the warehousing and storage of firearms.

(g) "**Gunsmith**" means a person whose occupation is to design, modify, make or repair firearms. For the sales of firearms, refer to "firearms dealer" under subsection (b) of this section.

(h) "**Person**" means any natural person, firm, corporation, organization, company association, business trust, joint-stock company, partnership, joint venture, club, or the agent, servant, manager, officer, employee, or lessee of any of them, and any municipal, political, or governmental corporation, district, body, or agency other than the city.

Section 5.55.040 Permit required.

(a) Firearms Dealers. No person, partnership, cooperative, corporation, firm, or association will engage in the business of operating or managing any business in the city which sells, transfers, leases, or offers or advertises for sale, transfer, or lease, any firearm without first obtaining a firearms dealer permit from the chief of police. Application for any such permit shall be made in writing to the chief of police in such form as shall be prescribed by him/her. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws, or the application will not be deemed complete. Persons who are collectors of antique firearms as described in § 5.55.030(g) shall not be required to obtain and maintain a firearms dealer permit.

(b) Gunsmiths. No person, partnership, cooperative, corporation, firm, or association will engage in the business of operating or managing a business which designs, modifies, makes or repairs firearms in the city without first obtaining a gunsmith permit from the chief of police. Application for any such permit shall be made in writing to the chief of police in such form as shall be prescribed by him/her. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws, or the application will not be deemed complete.

Section 5.55.050 Application fee.

The application shall be accompanied by a nonrefundable fee as set forth in the city of Fremont master fee resolution. The fee shall include an amount necessary to cover the full cost of processing, background, issuance, inspection, enforcement, and hearing procedures.

Section 5.55.060 Administration of chapter – Application and investigation for permits.

(a) The chief of police shall administer this chapter.

(b) The chief of police shall conduct an appropriate investigation to determine the eligibility of each owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business for which the applicant is seeking a firearms dealer permit or gunsmith permit. This investigation shall be conducted for the protection of the public safety and to determine if a permit may be issued. The applicant, owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business shall fully cooperate by providing necessary authorization for access to private records and information.

Section 5.55.070 Permit approval, renewal, suspension, conditions and revocation criteria.

The chief of police may issue or renew a permit only if the following criteria are met. The chief of police is hereby authorized to adopt all necessary administrative regulations to carry out the intent of this section including, but not limited to, the imposition of additional criteria. The chief of police may deny a new permit or suspend, revoke or impose reasonable conditions for issuance or renewal of an existing permit for failure to meet the following criteria:

(a) Applicants must be at least 21 years old.

(b) The applicant must hold all required federal, state and local licenses and authorizations.

(c) The applicant has no prior revocation, or denial of similar permit, for good cause within the last 2 years.

(d) The applicant has provided accurate statements of fact on his/her application.

(e) The applicant must have paid all applicable fees as provided in the city of Fremont master fee resolution.

(f) The applicant is free of a conviction for any of the following offenses:

(1) Any offense that would disqualify the applicant from owning or possessing a firearm under federal, state and local laws.

(2) Any offense related to the manufacturing, sale, possession, use, or registration of any firearm or dangerous or deadly weapon.

(3) Any offense involving the use of force or violence against the person of another.

(4) Any offense involving the manufacturing, sale, possession, or use of any controlled substance as defined in the California Health and Safety Code.

(g) The applicant is not an unlawful user of any controlled substance as defined by the California Health and Safety Code, or an excessive user of alcohol to the extent that it would impair his/her ability to be a dealer in firearms.

(h) The applicant is not a mental patient in a hospital or institution, or on leave of absence from any hospital or institution, or adjudicated by a court to be a danger to others as a result of a mental disorder or illness, or a mentally disordered sex offender, or suffers from any psychological disturbance which would impair his/her ability to be a firearms dealer.

(i) The applicant proposes to operate the business in a manner which complies with all federal, state, and local laws.

(j) The applicant operates his or her business:

(1) Within a zoning district where the proposed use is permitted by zoning regulations; or

(2) Within a zoning district where applicant has obtained required permits or approvals as prescribed by this code and general law.

(k) The applicant can provide evidence of possessory interest in the property at which he/she proposes to conduct business.

Section 5.55.080 Security requirements – Chief of police authority to adopt administrative regulations.

Firearms security regulations shall be adopted as provided in this section.

(a) A primary objective of this chapter is to discourage theft from the premises of firearm dealers, and to provide a safe and secure facility for storage and sale of firearms. To this end the permittee shall comply with all firearms dealer regulations prescribed by the chief of police. The chief of police is hereby authorized to adopt all necessary administrative regulations to carry out the intent of this chapter.

(b) The chief of police shall adopt firearms security regulations requiring, but not limited to, the following:

(1) The provision of secure locks, windows and doors, adequate lighting and an alarm security system in accordance with permitted city security regulations and/or specified by the chief of police.

(2) The storage of all firearms on the premises out of reach of customers in secure, locked locations, so that the access to the firearms is controlled by the dealer and/or owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business and to the exclusion of others. Storage of ammunition, gunpowder or other flammable or explosive material shall be in accordance with the Uniform Fire Code and the city's hazardous materials management ordinance (Chapter 8.35).

Section 5.55.090 Permit forms.

All permits issued pursuant to this chapter shall be in a form prescribed by the Attorney General of the state.

Section 5.55.100 Permit duration.

(a) All permits issued pursuant to this chapter shall expire one year after the date of issuance, unless suspended or revoked prior to the expiration date.

(b) All permits issued pursuant to this chapter shall be subject to renewal after 1 year. The permittee shall file a renewal application and pay all applicable fees as specified in the city of Fremont master fee resolution. Such application will then be reviewed by the chief of police for compliance with the provisions of this chapter. A permit will be issued by the chief of police for a renewal application which meets the provisions specified in this chapter. The permit will be valid for 1 year.

(c) Applications for renewal of an existing valid permit must be completed and received by the chief of police, in completed form, no later than 30 days prior to the expiration of the current permit.

Section 5.55.110 Permit transition period.

(b) A federally licensed firearms dealer conducting business as a gunsmith from a residence under a home occupation permit will be permitted to continue to operate in the manner prescribed in this chapter.

Section 5.55.120 Permit conditions.

(a) All permits issued pursuant to this chapter shall be subject to the following conditions. The violation of any of the listed conditions will be grounds for suspension or revocation of the permit by the chief of police.

(1) No firearms dealer permit will be issued to a person engaged in the business of selling, transferring, leasing, or advertising for sale, transfer, or lease any firearm from a residence.

(2) The business shall be conducted only in the building located at the street address indicated on the permit.

(3) The sales of firearms shall be conducted only by the person(s) listed on the firearms dealer permit issued by the city, known as the "permittee." If the permittee is to be assisted by another person such as an owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business of the sale of firearms, these individuals must be reviewed under the requirements of § 5.55.070(a), (e), (f), (g), and (h).

(4) The permittee shall comply with Cal. Penal Code §§ 12072(b), 12073, 12074, 12076, 12077, and 12082, to the extent that the provisions remain in effect.

(5) The permittee shall comply with all sections of this chapter.

(b) Any permit pursuant to this chapter shall be subject to additional conditions as the chief of police deems reasonably related to the purpose of this chapter.

Section 5.55.130 Permit denial, suspension, conditioning, revocation, denial of renewal.

(a) The chief of police may deny a new permit application or suspend, modify, revoke or deny renewal of an existing permit for failure of the applicant or permittee to satisfy any of the criteria provided in §§ 5.55.070, 5.55.080, 5.55.110, 5.55.120, 5.55.160 and 5.55.170.

(b) Any decision to deny a new permit application, suspend, revoke, modify or deny renewal of an existing permit shall be given to the applicant or permittee in writing, addressed to the permittee or applicant at the address on the application, and shall set forth the factual and legal grounds for the decision.

Section 5.55.140 Appeal of adverse action.

(a) Within 30 days after the date of deposit of the decision of the chief of police in the mail in accordance with § 5.55.130, the applicant or permittee may appeal the decision in writing to the city manager, setting forth the factual and legal grounds for appeal.

(b) The city manager (or designee) shall:

(1) Set a time and place for the hearing on the appeal;

(2) Appoint a city hearing officer to conduct a hearing; and

(3) Notify the applicant or permittee in writing of such date and time not later than 30 working days from the date the appeal was received by the city manager.

(c) The hearing shall be conducted within 45 days from the date the appeal was received by the city manager. In any hearing under this section, the applicant shall bear the burden of proof to establish entitlement to the requested permit by a preponderance of the evidence.

(d) After hearing the appeal, the city hearing officer may:

(1) Refer the matter back to the chief of police for a new investigation and decision consistent with direction provided by the hearing officer;

(2) Affirm the decision of the chief of police;

(3) Approve the application for a permit subject to any conditions the hearing officer may prescribe; or

(4) Approve the application for a permit without conditions.

(e) The decision of the city hearing officer shall be the final administrative determination and is subject to judicial review.

Section 5.55.150 Costs of appeal and attorneys' fees.

In any appeal hearing conducted under this chapter, the city hearing officer shall award all costs of the hearing, including direct and indirect staff costs and overhead, hearing officer costs and attorneys' fees, to the city whenever the city prevails.

Section 5.55.160 Permit liability insurance.

(a) No firearms dealer permit shall be issued or renewed pursuant to this chapter unless there is in full force and effect prior to issuance of a permit or renewal a policy of insurance in such form that the city attorney and city risk manager deem proper, executed by an insurance company approved by the city attorney whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer or lease, or advertising for sale, transfer or lease, or advertising for lease, any firearm. The minimum liability limits shall not be less than $1,000,000 for damages to or destruction of property in any one incident, and $1,000,000 for the death or injury of any 1 person; provided, however, that additional amounts may be required by the city attorney if deemed necessary. Person(s) engaged in the business of operating or managing a gunsmith business which designs, modifies, makes or repairs firearms will not be required to obtain and maintain liability insurance as discussed in this section.

(b) The policy of insurance shall name the city, its officers, agents and employees as additional insureds. Applicants and permittees shall indemnify, defend and hold harmless the city, its officers, agents, and employees from claims arising from the negligence of the applicant or permittee. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the chief of police 60 days prior to cancellation.

(c) A federally licensed firearms dealer possessing a home occupation permit for the sale of firearms from his/her residence shall be exempted from this requirement.

Section 5.55.170 Inspection authority.

The chief of police or his/her designee shall have the right to enter any firearms dealer establishment from time to time during regular business hours to make reasonable inspections to ascertain whether the provisions of this chapter are being complied with. A warrant shall be obtained whenever required by law.

Section 5.55.180 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering for sale, transfer, or lease, any firearm on the effective date of this chapter shall have 60 days from the effective date to comply with the provisions of this chapter.

Section 5.55.190 Temporary suspension.

(a) If a firearm dealer violates any federal, state or local county or city law, the chief of police may immediately suspend the right of the dealer to sell firearms.

(b) The temporary suspension will not exceed three days. If the violation results in a criminal charge filed by a federal, state, or county district attorney, such permit to sell firearms may be suspended until the case is adjudicated in a court of law.

(c) Notice of suspension and rights to appeal and costs shall be the same as provided in §§ 5.55.130, 5.55.140 and 5.55.150.

Section 5.55.200 Severability.

(a) This chapter shall be enforced to the full extent of the authority of the chief of police. If any section, subsection, sentence, clause, phrase or portion of this chapter is, for any reason, held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this chapter.

(b) The city council hereby declares that it would have adopted this chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions should be declared invalid or unconstitutional.

Title 9 Public Peace, Morals & Welfare
Chapter 9.15 Firearms

Section 9.15.010 Sale of weapons to minors.

Except as otherwise provided in § 9.15.040, no persons shall sell, give, loan, or in any way furnish to any person under the age of 16 years any gun, revolver, pistol, firearm, spring gun, air gun, BB gun, sling, slingshot, bow and arrow, or other device designed or intended to discharge, or capable of discharging, any dangerous missile.

Section 9.15.020 Sale of ammunition to minors.

Except as otherwise provided in § 9.15.040, no person shall sell, give, loan, or in any way furnish, to any person under the age of 16 years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol, or other firearm.

Section 9.15.030 Possession and use of weapons by minors.

Except as otherwise provided in § 9.15.040, no person under the age of 16 years shall fire, discharge, shoot, or operate, or participate in the firing, discharging, shooting, or operating, or have in his/her possession, care, custody, or control, any gun, revolver, pistol, firearm, spring gun, air gun, BB gun, sling, slingshot, bow and arrow, or device designed or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol, or other firearm.

Section 9.15.040 Prohibition does not apply to licensed hunters.

Nothing in § 9.15.010, 9.15.020 or 9.15.030 shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing of any article mentioned in §§ 9.15.010 and 9.15.030 to any person under the age of 16 years who is the holder of a valid hunting license issued to such person in accordance with the provisions of the California Fish and Game Code; nor prohibit any such licensee under the age of 16 years from using or possessing any article mentioned in § 9.15.030. Nothing in this chapter shall be deemed or construed to prohibit any person under the age of 16 years from firing, discharging, shooting, or operating any article mentioned in § 9.15.030 when such person is the holder of a valid state hunting license and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed, or is lawfully engaged in shooting at any inanimate target or trapshooting device while accompanied by, and under the direct care and control of, some responsible adult person, at an established shooting range with a safe background.

Section 9.15.050 Other dangerous weapons – Sale, use, or possession prohibited.

This chapter further prohibits the sale, gift, loan, or furnishing of dangerous weapons to any person, and the use by or possession or control of dangerous weapons by any person.

Section 9.15.090 Exceptions.

Nothing in this chapter shall be deemed or construed as restricting or prohibiting the use of any weapon or device by any peace officer in the performance of his/her duty, nor to any person while lawfully defending life or property, nor to any person while engaged in lawfully protecting life, property, or crops from destruction or damage by any predatory or destructive bird or animal, nor to any person engaged in shooting in a shooting gallery, or while engaged in target, skeet, or trapshooting in any regularly established shooting range or range shooting club, or while engaged in hunting at any regularly established hunting club.

Fresno Code of Ordinances
Codified through Ordinance No. 2018-50, Effective September 30, 2018 (Supp. No. 27)

Chapter 9 Regulations Regarding Businesses and Personal Conduct
Article 26 Crimes against Public Health and Safety

Section 9-2601 Use and possession of weapons.

(d) No person under the age of 18 years shall have in his or her possession any firearm within the city limits unless he or she, at all times during the possession, (1) has on his or her person the written consent of his or her parent or legal guardian, or (2) is accompanied by his or her parent or legal guardian, or (3) is participating in and going to and from an organized, lawful recreational or competitive shooting activity or lawful hunting activity. As used in this subdivision (d),

"**firearm**" means any firearm except (1) any pistol, revolver or firearm capable of being concealed upon the person as described in California Penal Code § 12001, or (2) a B-B gun, pellet gun or spot-marking gun as described in California Penal Code § 12001.1, or (3) any other firearm the possession of which by minors is regulated by State law.

(f) This section shall not apply to the keeping of weapons at a place of business or residence by a person 18 years of age or older lawfully in possession of the property.

(i) No parent, guardian, or any adult person having the control, custody, or charge of any person under the age of 18 years, shall knowingly permit, allow, or let said person to use or possess a weapon in violation of this section.

(j) The Chief of Police is authorized to seize and impound any weapon which is kept, possessed or used in violation of this section, or the missile thereof, and to hold the same for a period of 30 days and until thereafter claimed by its owner. Such articles may not be returned to any person under the age of 18 years but may be returned to his or her guardian or parent.

(k) This section shall not be deemed to make punishable an act or acts which are allowed or prohibited by any law of the State.

Chapter 15 Citywide Development Code, Including Revisions
Part II Base and Overlay Districts
Article 12 Commercial Districts (C)

Section 15-1201 Purpose.

CMS Commercial - Main Street. The CMS district is intended to preserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family residential and townhomes are predominant. A traditional "Main Street" character is achieved with active storefronts, outdoor seating and pedestrian-oriented design.

Section 15-1202 Use regulations.

A. Table 15-1202 prescribes the proposed land use regulations for Commercial Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"P" designates permitted uses.

"C" designates uses that are permitted after review and approval of a Conditional Use Permit.

F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

Table 15-1202 Land Use Regulations—Commercial Districts

Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
Retail Sales							
Gun Shop	C	P	P	P	-	P	§ 15-2745, Outdoor Retail Sales

Part III Regulations Applying to Some or All Districts
Article 27 Standards for Specific Use and Activities

Section 15-2735 Home occupations.

H. Prohibited Home Occupations. The following specific businesses are not permitted as home occupations.

9. Firearms manufacture, sales, or repair;

Fresno County Code of Ordinances
Codified through Ordinance No. 18-007, passed April 15, 2017. (Supp. No. 27)

Title 6 Business Licenses and Regulations
Chapter 6.38 Licenses to Sell Firearms

Section 6.38.010 License, Required.

It is unlawful for any person to engage in the business of selling, leasing, or transferring firearms at retail, without first having obtained a license therefor as provided in this chapter.

Section 6.38.020 Exceptions.

The provisions of this chapter shall not apply to any of the following:

A. The infrequent sale, lease, or transfer, of firearms. As used in this section, "infrequent" has the meaning provided in Section 16730 of the California Penal Code.

B. A person acting pursuant to operation of law, court order, or the Enforcement of Judgments Law (Code of Civil Procedure, Part 2, Title 9, beginning with Section 680.010).

C. A person who liquidates a personal firearm collection to satisfy a court judgment.

D. Any activity exempted under the Penal Code, Part 6, Title 4, Division 6, Chapter 1, Article 1 (beginning with Section 26500) from the license requirement for the sale, lease, or transfer of firearms.

Section 6.38.025 License collector.

For purposes of this chapter, the license collector of the county is the sheriff.

Section 6.38.030 Applications, Contents, Investigation.

Applications for licenses under this chapter shall be made in writing and filed with the license collector. Each application shall be accompanied by a fee as set forth in the County of Fresno Master Schedule of Fees, Charges and Recovered Costs. Said fee shall be to defray the cost to the county of processing the application. The application shall contain the name of the applicant, the persons interested in the business, and the business address. The application shall be accompanied by copies of the applicant's valid federal firearms license, valid seller's permit issued by the state board of equalization, and certificate of eligibility from the department of justice. The license collector shall not accept for processing any application that is not accompanied by those documents. The application shall be immediately referred to the department of public works and planning. The director of public works and planning shall report to the license collector whether or not the proposed place of business is appropriately zoned for the proposed use.

Section 6.38.040 License, Issuance.

The license collector shall, upon receiving the application and report thereon from the department of public works and planning, issue the license if the report is favorable thereto. The license shall be in the form prescribed by the attorney general. If the finding of the public works department is adverse to the issuance of the license, the license collector shall refuse to issue the license and shall so notify the applicant. In any case, the license collector shall inform applicants who are denied licenses of the reasons for the denial in writing. In the event of such refusal, the applicant may, within ten days after notification of such refusal appeal to the board whose decision thereon shall be final. No license shall be issued by the license collector until the license fee required for the particular license has been paid.

Section 6.38.050 License, Fee, Sale, lease, or transfer of firearms at retail.

The license fee for a license under this chapter shall be as set forth in the County of Fresno Master Schedule of Fees, Charges and Recovered Costs.

Section 6.38.060 License, Term.

All licenses under this chapter shall be issued to expire on June thirtieth; provided, that no license shall be issued to expire more than one year from the date of issuance. When a license is issued during any licensing period, the license collector shall prorate the license fee as of the fit of the month nearest to the date of issuance.

Section 6.38.070 Compliance with state law.

Every person issued a license pursuant to the provisions of this chapter shall comply with the provisions of the California Penal Code, Part 6, Title 4, Division 6 (commencing with Section 26500), "Sale, Lease, or Transfer of Firearms."

Section 6.38.080 License, Revocation.

The board may suspend for a limited period of time or revoke any license issued pursuant to this chapter upon finding that the licensed person has done any of the following:

A. Made any misrepresentation on the application;

B. Violated any provision of this chapter; or

C. Breached any of the prohibitions or requirements of Penal Code, Part 6, Title 4, Division 6, Chapter 2, Article 1 (beginning with Section 26700), except those stated in Subdivision (c) of Section 26890, Subdivision (d) of Section 26890, and Subdivision (b) of Section 26900.

Section 6.38.090 License, Renewal.

Upon the expiration of any license issued pursuant to this chapter, the same may be renewed pursuant to the provisions of Section 6.04.104; provided, that the same penalty shall apply if not renewed and the fee as set forth in the County of Fresno Master Schedule of Fees, Charges and Recovered Costs paid prior to expiration.

Section 6.38.100 License, Not transferable.

Each license issued under this chapter shall be issued to a specific person and location and shall in no event be transferable from one person or location to another.

Title 10 Public Peace, Morals and Welfare
Chapter 10.44 Possession and Discharge

Section 10.44.010 By minors.

It is unlawful for any person under the age of fourteen years, unless accompanied by an adult person, to carry on his person or have in his possession any pistol, rifle, gun or other firearm, unless such minor is regularly enlisted in some military organization of this state or the United States or is taking a course in military instruction.

Fullerton Code of Ordinances
Codified through Ordinance No. 3256, May 2018.

Title 3 Regulation of Activities
Chapter 3.55 Sellers of Firearms

Section 3.55.010 Definition.

"Seller of firearms," means any person who sells or offers for sale at retail any firearms.

Section 3.55.015 Permit required.

No person shall engage in, conduct, manage or carry on the business of seller of firearms without a written permit from the Chief of Police. Initial application shall be accompanied by the payment of an investigation fee of two hundred fifty dollars for each permit applied for pursuant to the provisions of this chapter, and a fee of fifty dollars for each renewal thereof to the City Treasurer and the filing of proof of such payment to the Chief of Police. The permit shall be nontransferable and shall be valid for one year. If a permit is denied, suspended or revoked, the permittee shall have the rights of notice, hearing and appeal. Any person, who is exempt from the licensing requirements under the provisions of Penal Code Section 12070(b), may apply for and receive a permit under this chapter for an initial application fee of fifty dollars and for an annual renewal fee of twenty-five dollars.

Section 3.55.020 Fixed location.

Each permittee must have a fixed place of business. Sales of firearms may only be made from that fixed place of business.

Section 3.55.015 Overlapping business.

If any person shall engage in, conduct, manage or carry on, at the same time, more than one business requiring police permits, such person shall comply with all of the provisions affecting each business.

Section 3.55.030 Permittee responsibility.

It is the duty of the permittee to see that no firearms are sold or offered for sale in violation of the law.

Section 3.55.035 Penalty.

Any violation of this chapter is a misdemeanor.

Gardena Code of Ordinances
Codified through Ordinance No. 1800, passed October 9, 2018.

Title 9 Public Peace, Morals and Welfare
Chapter 9.36 Weapons

Section 9.36.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

“Deadly or dangerous weapon” means and includes, but is not limited to, any dirk or dagger, any knife with a blade two inches or more in length, any snap-blade or spring-blade knife, regardless of the length of the blade, any ice pick or similar sharp stabbing tool, any straightedge razor or any razor or other blade fitted to a handle, any dangerous or deadly weapon within the meaning of any law of the state restricting the use thereof, any cutting, stabbing, or bludgeoning weapon or device capable of inflicting grievous bodily harm and any firearm.

“Firearm” means and includes, but is not limited to, any gun, revolver, pistol, firearm, spring gun, air gun, gas gun, sling, slingshot or device designed or intended to discharge, or capable of discharging, any dangerous missile or any cartridge, shell, ammunition or device containing any explosive substance, spring or other impelling force devised or intended to be used or fired from any gun, revolver, pistol or firearm.

9.36.030 Possession of firearms or deadly or dangerous weapons by minors.

No person under eighteen years of age shall have in his possession, care, custody or control any knife, any blade of which exceeds two inches in length or any snap-blade or spring-blade knife, regardless of the length of the blade, any firearm or any deadly or dangerous weapon as defined in Section 9.36.010. (Prior code § 3-3.103)

9.36.040 Furnishing firearms or deadly or dangerous weapons to minors.

It is unlawful for any person to sell, exchange, give or loan to any person under eighteen years of age any firearm or deadly or dangerous weapon as defined in Section 9.36.010.

Gilroy Code of Ordinances

Codified through Ordinance No. 2018-11, passed September 10, 2018.

Chapter 9A Firearms Sales

Section 9A.1 Firearms defined.

The term **"firearms"** as used in this chapter, includes, but is not limited to, handguns, rifles, shotguns, gas or air guns, springloaded guns and other weapons coming under the definition of firearms as defined in the California Penal Code.

Section 9A.2 Applicability.

Private persons selling their own firearms shall be exempted from the purview of this chapter. For the purposes of this chapter, a person selling three or more firearms in any calendar year shall be presumptively deemed to be engaged in the commercial sale of firearms and shall be required to comply with the terms of this chapter.

Section 9A.3 General requirements.

No person shall engage in the business of selling, offering for sale, or displaying for sale, or storing preparatory for sale, any firearms within the city limits of Gilroy unless the person has fully complied with all of the following conditions:

(1) The seller shall hold a federal firearms permit and shall meet all the provisions of the Gun Control Act of 1968.

(2) The seller shall comply with all applicable sections of the California Penal Code relating to registration of sales of firearms.

(3) The seller shall have obtained a permit from the chief of police authorizing the storage of firearms within the City of Gilroy. The permit shall be renewable annually and shall be issued only upon a showing that the seller has a federal firearms permit and has taken steps to ensure the safety of his firearms from burglary, theft and fire. The chief of police shall have the right, in conjunction with the building inspector, to require a condition for the issuance of a permit, structural changes to the building in which the firearms are sold or stored, with the structural changes, specifically including, but not limited to, the installation of burglar alarms and other warning devices, to be such as are reasonably related to the purpose of ensuring the safety of such firearms from burglary or theft.

(4) Applicants may be required to submit fingerprints to the California Department of Justice as a part of the background check.

Section 9A.4 Permit—Fee.

To be set and adjusted by city council action. The annual fee shall be paid at the time the application is obtained from the chief of police and is nonrefundable.

Section 9A.5 Same—Duration; nontransferable.

Permits issued by the chief of police shall be valid for a period of one year from the date of issuance and shall not be transferable from one person to another or from one location to another.

Section 9A.6 Same—Revocation.

A permit issued under the provisions of this chapter shall be revoked by the chief of police upon proof to his satisfaction of a violation by the holder of such permit of this chapter, or any ordinance of the City of Gilroy or law of the state regulating or establishing standards for the commercial sale of firearms.

Section 9A.7 Appeal of suspension or revocation.

(a) Any such person, whose permit issued under the provisions of this chapter having been so suspended or revoked, shall have the right to appeal to the city council in writing within three (3) days after notification of such suspension or revocation, or within thirty (30) days after denial thereof, and to be heard by the city council with relation thereto at its next regular or regular-adjourned meeting, or at a special meeting of the city council called for such purpose, and the action of the city council upon such appeal shall be final and conclusive with respect to the suspension or revocation of such permit.

(b) In the event that such appeal is taken as provided in subsection (a) of this section, such business or occupation, where such permit has already been granted, shall not be suspended or revoked until the final disposition of the appeal by the city council.

Section 9A.8 Violation; penalty.

Any person violating any part of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than three hundred fifty dollars ($350.00) and, for a second conviction, by a fine of not less than five hundred dollars ($500.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment.

Glendale Code of Ordinances

Codified through Ordinance No. 5840, passed November 18, 2014. (Supp. No. 27, 1-15)

Title 9 Public Peace & Welfare
Chapter 9.24 Weapons

Section 9.24.010 Concealable firearms—Permit required.

No person shall, within the city, engage in the business of selling or otherwise transferring any handgun, pistol, revolver or other firearm capable of being concealed upon the person without first having received a revocable permit from the chief of police authorizing such person to make such sales. (Prior code § 19-80)

Section 9.24.020 Permit—Application—Issuance.

A. The chief of police shall issue a revocable permit for the sale of firearms described in this section upon the receiving of an application accompanied by a fee of $100 for the first issuance of such a permit and $25 thereafter, for each subsequent renewal, whenever:

1. The applicant has an established place of business within the city; and

2. The applicant is a person of good moral character and has not been convicted of any felony or misdemeanor involving the violation of any law of the state of California or ordinance of the city relating to the owning, carrying, sale, use or registration of any firearm or dangerous or deadly weapon.

B. Such permit shall be revocable for cause, which cause shall include, but shall not necessarily be limited to violation of § 9.24.040 and/or falsification of the information contained on the application required by this section.

C. The fees established by subsection A of this section shall be modified to reflect cost-of-living changes and to ensure that changing economic conditions do not impair the real value of the fees under this chapter. Accordingly, on July 1st of each year, the chief of police shall:

1. Review the fees set forth in subsection A of this section; and

2. Adjust the fees:

a. Upward or downward by the same percentage increase or decrease occurring during the previous 12 months, in the Consumer Price Index for All Urban Consumers (“CPI-U”) for the Los Angeles-Orange County-Riverside Metropolitan Area (published by the Bureau of Labor Statistics, U.S. Department of Labor), or applying a similar index if the CPI-U is not published or available, and

b. To the nearest $1.

D. In addition to adjusting the fees for the cost-of-living changes annually under subsection C of this section, the chief of police, at any time, shall recommend, with the city manager’s approval, that the city council revise the fees and charges when a change in the administrative costs of processing applications for permits for the sale of firearms makes the revision appropriate.

E. The chief of police may prepare, adopt, amend, and enforce rules, regulations, or procedures for calculating, collecting, paying, and administering the fees and charges under this chapter.

Section 9.24.030 Permit—Form—Term.

No permit shall be issued by the chief of police except on a form prescribed by the Attorney General of the state of California. All permits so issued shall expire upon June 30th next following the date of issuance or upon the cessation or change of location of business for which such permit is issued, whichever is sooner.

Section 9.24.040 Permit—Conditions—Revocation.

Any permit issued shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police:

A. The business shall be carried on only in the building designated in the license.

B. The license or a copy thereof, certified by the issuing authority shall be displayed on the premises where it can easily be seen.

C. No pistol or revolver shall be delivered within 15 days of the application for the purchase, and in addition, the purchaser must be personally known to the seller or the purchaser must present clear evidence of his or her identity to the seller.

D. No pistol or revolver shall be delivered unless it is unloaded and securely wrapped.

E. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

Section 9.24.055 Firearms and weapons generally—Persons under age eighteen not to possess firearms, ammunition, etc.

No person under the age of 18 years shall have in his or her possession, care, custody or control in the city, any gun, revolver, pistol, spring or air gun, or firearm of any description, or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description, or any ammunition of any description containing any explosive.

Chapter 9.25. Firearms and Ammunition on City Property

Section 9.25.030 Definitions.

For the purpose of this chapter, the following words and phrases have the meanings ascribed to them, unless otherwise noted:

"Ammunition" means any ammunition as defined in California Penal Code section 16150, or any successor legislation.

"City property":

1. Means real property, including any buildings thereon, owned, leased, or subleased by the City of Glendale ("city") and in the city's possession, or in the possession of a public or private entity, corporation, or person under contract with the city to perform a public purpose, including, but not limited to, the following property: parks, playgrounds, open space, plazas, community centers, facilities (including the Glendale Civic Auditorium, the city's civic center complex, and city libraries), parking lots, and parking structures.

2. Does not include the public right-of-way owned by the city, including any area across, along, on, over, upon, and within the dedicated public alleys, boulevards, courts, lanes, roads, sidewalks, streets, and ways within the city.

"Firearm":

1. Means any gun, pistol, revolver, rifle, or any device, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

2. Includes:

a. A firearm, as defined in California Penal Code Section 16520 or any successor legislation.

b. A BB device, as defined in California Penal Code Section 16250 or any successor legislation.

c. An imitation firearm, as defined in California Penal Code Section 16700(a) or any successor legislation.

"Sale" or "sell":

1. Means any transaction, with or without the exchange of consideration, which:

a. Transfers ownership, title, possession, or control of a firearm, or ammunition, or both; or

b. Gives, loans, leases, or delivers a firearm, or ammunition, or both.

2. Includes the act of placing an order for any of the aforementioned transfers.

"Unloaded":

1. Means:

a. No ammunition is in the firearm's chamber or cylinder; and

b. No ammunition, clip, tube, speed loader, or magazine that is compatible with the firearm and that contains ammunition is on the person who is carrying the firearm.

2. Does not include a muzzle-loading firearm that is capped or primed and has a powder charge and ball, shot, or projectile in the barrel or cylinder.

Section 9.25.040 Prohibited acts, Ban on possession and sale of firearms.

B. Sell on city property:

1. A firearm, loaded or unloaded.

2. Ammunition for a firearm.

Section 9.25.050 Exceptions, Ban on possession.

Section 9.25.040 does not apply to the following:

A. A peace officer, retired peace officer, or person assisting a peace officer when authorized to carry a concealed weapon or a loaded firearm under California law or under 18 U.S.C. 926B or 926C, or any successor legislation.

B. A member of the armed forces when on duty.

C. Any person bringing a firearm onto city property in order to exchange or transfer or relinquish it to the Glendale Police Department, in compliance with any Glendale Police Department operated or sponsored program to purchase, exchange, or otherwise obtain voluntary relinquishment of firearms from the public.

D. A military or veteran's organization carrying unloaded weapons while parading.

E. Individuals delivering firearms and ammunition as authorized by California or federal law, to or from the Glendale Police Department.

F. A guard or messenger of a common carrier, bank, or financial institution, or an armored vehicle guard when authorized by applicable California or federal law to carry the firearm and when engaged in the exercise of official duties on city property.

G. A person who is lawfully at and using the city's target range in accordance with its rules and applicable law.

H. An honorably retired federal officer or agent of a federal law enforcement agency, when authorized to carry a concealed or loaded weapon under California or federal law.

I. A patrol special police officer, animal control officer, or zookeeper when authorized by applicable California or federal law to carry a loaded firearm and when engaged in the exercise of official duties on city property.

J. A security officer appointed by a sheriff or police chief for the protection of government property under applicable California or federal law.

K. An officer authorized to transport prisoners under applicable California or federal law.

L. An authorized participant in a motion picture, television, film or video production, or musical or theatrical production when the participant lawfully uses an unloaded firearm as part of that production.

Section 9.25.060 Exceptions, Ban on sale.

Section 9.25.040 does not apply to the purchase or sale of a firearm, or ammunition, or both, by a federal, state, or local law enforcement agency or by any other federal, state, or local governmental entity.

Glendora Code of Ordinances

Codified through Ordinance No. 2034 and the October 2018 code supplement.

Title 9 Public Peace, Morals and Safety

Chapter 9.14 Concealable Firearms – Retail Sales

Section 9.14.010 License required.

(a) No person shall engage in the business of selling, transferring, advertising, offering, or exposing for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person unless he or she has been issued a license pursuant to this chapter, in addition to any other permit or license required by this code.

(b) A person who engages in the business of selling or transferring concealable weapons at more than one place of business shall be required to have a separate license for each such place of business. No license issued by another jurisdiction shall be valid in the city.

(c) As used in this chapter, engaging in the business of selling or transferring concealable firearms does not include the infrequent sale or transfer, offering, exposing for sale, or advertising for sale any handgun at a gun show, swap meet or similar event. As used in this section, “infrequent” means occasional and without regularity.

(d) The question as to whether a person is “engaged in the business,” as the term is used in this chapter, shall be resolved in light of the facts of each particular case.

Section 9.14.020 Application.

(a) An application for a license under this chapter, or the renewal thereof, shall be filed with the finance department on forms provided by the city, together with a filing fee, as established by city council resolution. The information to be provided on the application shall include the applicant's true name and aliases, if any, driver's license number, date of birth, height, weight, color of hair and eyes, business and residence address and telephone number, state sales tax number, and such other information as the chief of police may deem necessary. The application shall be verified by the applicant.

(b) A person who engages in the business of selling or transferring concealable weapons at more than one place of business shall be required to file a separate application for each such place of business.

Section 9.14.030 Investigation.

(a) The chief of police shall conduct an investigation of the applicant to determine whether the license, or renewal thereof, shall be issued. The police chief may require information of the applicant which he or she deems necessary to conduct the investigation, in addition to the information contained in the application.

(b) The chief of police shall complete his or her investigation and either issue the license or give written notice to the applicant by mail or personal service of the denial thereof, within thirty days after the application is filed. Every notice of denial shall include a statement of the findings therefor.

Section 9.14.040 Findings for approval.

(a) The chief of police shall issue the license, or renewal thereof, if:

(1) The place of business is in a zone that permits the sale of guns;

(2) The applicant has not been convicted of any felony or misdemeanor involving the violation of any state law or any local ordinance relating to the owning, carrying, sale, use or registration of firearms or dangerous or deadly weapons;

(3) The applicant's character is not adverse to the safety or general welfare of the community;

(4) The applicant maintains the security of the place of business, according to reasonable standards, which may be prescribed by the police chief; and

(5) The applicant has not falsified any of the information contained in the application or otherwise reasonably required by the police chief.

(b) As used in this section, "**conviction**" means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

Section 9.14.050 Conditions of approval.

Every license, and renewal thereof, shall be issued subject to all of the conditions contained in Section 12071 of the California Penal Code.

Section 9.14.060 License.

(a) Every license, or renewal thereof, shall be issued, personally to the applicant, in the form prescribed by the Attorney General of the state.

(b) Every license shall expire:

(1) One year after the date of issuance, or

(2) Upon the cessation or change in the location of the place of business, whichever occurs first; provided, that an expired license may be renewed for additional one-year periods in accordance with the provisions of this chapter.

(c) The assignment or attempt to assign any license issued pursuant to this chapter shall be unlawful and any such assignment or attempt to assign a permit shall render the license null and void.

Section 9.14.070 Revocation.

(a) A license, or renewal thereof, shall be revocable by the chief of police upon a finding that:

(1) There has been a change of fact relative to one or more of the findings upon which approval was granted pursuant to Section 9.14.040; or

(2) There has been a violation of one or more of the conditions of approval imposed pursuant to Section 9.14.050.

(b) A license which is revoked pursuant to this chapter shall be surrendered by the licensee to the chief of police.

Section 9.14.080 Appeal procedure.

(a) The applicant shall have ten days from the date of mailing or of personal service of a notice of denial to file with the chief of police a written request for reconsideration. The request shall state the grounds therefor and shall include evidence or argument in opposition to the findings upon which the denial was based. The written request may include a request for a personal interview with the police chief. Within five days after the written request is filed or the interview is held, whichever is later, the police chief shall either issue the license, or renewal thereof, or give written notice to the applicant by mail or by personal service of his or her final determination of denial and the findings therefor.

(b) The applicant shall have ten days from the date of mailing or of personal service of the final determination of denial to file with the city manager a written appeal. The appeal shall state the grounds therefor, and shall include evidence or argument in opposition to the findings upon which the final determination was based. The written appeal may include a request for a personal interview with the city manager. Within five days after the written appeal is filed or the interview is held, whichever is later, the city manager shall either cause the license to be issued or shall give written notice to the applicant by mail or by personal service of his or her decision of the denial thereof and the findings therefor. The decision of the city manager shall be final.

Grass Valley Code of Ordinances

Codified through Ordinance No. 791, enacted September 26, 2017. (Supp. No. 3)

Title 5 Business Licenses and Regulations
Chapter 5.48 Licensing of Firearms Dealers

Section 5.48.010 Purpose.

The city pursuant to California Penal Code Section 12072 is required to establish a procedure for the permitting of licensees to sell firearms at retail within the city.

Section 5.48.020 Application form, Fees.

An applicant for a permit under this chapter shall file with the chief of police a sworn application in writing, on a form to be furnished by the city. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state and local laws when required by the chief of police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee in an amount as established by Resolution of the city council.

Section 5.48.030 Application, Investigation.

The chief of police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief of police may require additional information of an applicant which he or she deems necessary to complete the investigation.

Section 5.48.040 Application, Denial.

The chief of police may issue a permit unless he or she finds:

A. The applicant, or an officer, employee or agent thereof is under the age of twenty-one years.

B. The applicant if not licensed as required by all applicable federal, state and local laws.

C. The applicant, or an officer, employee or agent thereof has had a similar type permit previously revoked or denied for good cause within the immediately preceding year.

D. The applicant, or an officer, employee or agent thereof has knowingly made any false or misleading statement of a material fact or omission of a material fact in the application for a permit.

E. The applicant, or an officer, employee or agent thereof has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee or agent thereof from owning or possessing a firearm under applicable federal, state and local laws.

2. Any offense relating to the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon.

3. Any offense involving the use of force or violence upon the person of another.

4. Any offense involving theft, fraud, dishonesty or deceit.

5. Any offense involving the manufacture, sale, possession, or use of any controlled substances as defined by the California Health and Safety Code as the definition now reads or may hereafter be amended to read.

F. The applicant, or an officer, employee or agent thereof is an unlawful user of any controlled substance as defined by the California Health and Safely Code as the definition now reads or may hereafter be amended to read, or is an

excessive user of alcohol, to the extent that such use would impair his or her fitness to be a dealer in concealable firearms.

G. The applicant, or an officer, employee, or agent thereof has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in concealable firearms.

H. The operation of the business as proposed will not comply with all applicable federal, state and local laws.

I. The business as proposed will be operated in the following locations:

a. Within a zoning district in which retail service is not a permitted or conditional use.

b. Within a zoning district in which residential use is the principal permitted or maintained use, or within two-hundred fifty feet of the exterior limits of any such district.

c. On or within two-hundred fifty feet of the exterior limits of any other premises occupied by a public or private day care center or day care home, elementary school, junior high school or high school.

d. On or within five hundred feet of the exterior limits of any other premises occupied by a dealer in concealable firearms, a cardroom, a massage establishment, or a hot tub/sauna establishment. Priority between such existing establishments shall be assigned in accordance with the dates upon which such establishments commenced such lawful operation, priority being given to the establishment having the earliest of such dates. In the event any dispute arises regarding said date, the applicant shall have the obligation to establish the date on which he or she commenced lawful operation.

2. All distances referred to in this subsection shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a dealer in concealable firearms subject to the provisions of this chapter occupies one unit of a multiunit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied. This subsection shall supersede any and all conflicting provisions regulating home occupations set out in the Grass Valley Zoning Ordinance No. 69 N.S. as amended.

J. The applicant, or an officer, employee or agent thereof does not have, and/or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted.

Section 5.48.050 Permit, Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the attorney general of the State of California.

Section 5.48.060 Permit, Duration, Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that such permits may be renewed by the chief of police for additional periods of one year upon the permittee's submission of an application for renewal to the chief of police. Such renewal application must be received by the chief of police, in completed form, no later than forty-five days prior to the expiration of the current permit and must be accompanied by a nonrefundable fee in an amount established by the city council.

Section 5.48.070 Permit, Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 5.48.080 Permit, Conditions.

Any permit issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police:

A. The business shall be carried on only in the building designated in the permit.

B. The permit or a copy thereof, certified by the chief of police, shall be displayed on the premises where it can easily be seen.

C. No firearm shall be delivered:

1. Within ten days of the application to purchase, or, after notice by the Department of Justice (DOJ) pursuant to subdivision (d) of California Penal Code Section 12076, within ten days of the submission to the department of any correction to the application, or within ten days of the submission to the department of any fee required pursuant to subdivision (e) of Section 12076 of the California Penal Code, whichever is later.

2. Unless unloaded and securely wrapped or unloaded and in a locked container.

3. Unless the purchaser or transferee either is personally known to the dealer or presents clear evidence of his or her identity and age to the dealer. As used in this chapter, "clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

4. Whenever the dealer is notified by the DOJ that the person is in a prohibited class described in Penal Code Section 12021 or 12021.1 or Section 8100 or 8103 of the Welfare and Institutions Code.

D. No pistol, revolver, or other firearm or imitation thereof capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

E. The licensee shall agree to and shall act properly and promptly in processing transfers of firearms pursuant to Section 12082 of the Penal Code.

F. The licensee shall comply with Penal Code Sections 12073 and 12077 and Section 12072(a) and (b), and subdivision (a) of Section 12316.

G. The licensee shall post conspicuously within the licensed premises the following warnings in block letters not less than one inch in height:

1. IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT, YOU MAY BE FINED OR SENT TO PRISON.

2. IF YOU KEEP A LOADED FIREARM, OR A PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON, WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 16 GAINS ACCESS TO THE FIREARM, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.

3. DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.

4. FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM WITHIN THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.

5. NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30 DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30 DAY PERIOD.

H. The licensee shall comply with all Federal guidelines outlined in Penal Code Section 12071.

Section 5.48.090 Permit, Liability insurance.

A. No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city attorney deems proper, executed by an insurance company approved by the city attorney whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer, or lease, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any pistol, revolver, or other firearm capable of being concealed upon the person. The minimum liability limits shall not be less than one million dollars for damage to or destruction of property in any one incident, and one million dollars for the death of or injury to any one person; provided, however, that additional amounts may be required by the city attorney if deemed necessary.

B. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the city, address in care of the Chief of Police, 125 E. Main Street, Grass Valley, California 95945, at least thirty days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall name the city, its officers, agents and employees as additional insureds. Additionally, applicants and permittees shall indemnify, defend and hold harmless the city, its officers, agents and employees from claims arising from the negligence of the applicant or permittee.

Section 5.48.100 Permit, Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing or health regulations, or provisions of this chapter. A warrant shall be obtained whenever required by law.

Section 5.48.110 Excluded transactions.

As used in this chapter, engaging in the business of selling, leasing or transferring of firearms does not include any of the following:

A. The sale, lease or transfer of any firearm by a person acting pursuant to a court order or pursuant to the Enforcement of Judgments Law, or by a person who liquidates a personal firearm collection to satisfy a court judgment.

B. The sale, lease or transfer of firearms by a person acting pursuant to Penal Code Section 12028(c).

C. The sale, lease or transfer of a firearm by a person who obtains title to the firearm by intestate succession or by bequest, provided the person disposes of the firearm within sixty days of receipt of the firearm.

D. The infrequent sale, lease or transfer of firearms. "Infrequent sale" means pistols, revolvers, or other firearms capable of being concealed upon the person, less than six transactions per calendar year. For this purpose, "transaction" can mean a single sale, lease or transfer of any number of pistols, revolvers or other firearms capable of being concealed upon the person, an occasional transaction or one without regularity.

E. The sale, lease, or transfer of used firearms.

Section 5.48.120 Compliance.

Any person engaging in the business of selling, transferring, or leasing or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer or lease, any pistol, revolver or other firearm capable of being concealed upon the person on the effective date of the ordinance codified in this chapter shall have a period of sixty days after such effective date to comply with the provisions of this chapter.

Greenfield Code of Ordinances

Codified through Ordinance No. 529, passed December 12, 2017.

Title 17 Zoning
Chapter 77.82 Home Occupations

Section 17.82.050 Prohibited uses.

The following uses are expressly prohibited as home occupations:

B. Ammunition reloading, including custom reloading.

Guadalupe Code of Ordinances

Codified through Ordinance No. 2017-461 and the August 2017 code supplement.

Title 9 Public Peace, Morals and Welfare
Chapter 9.16 Weapons

Section 9.16.020 Sale of firearms or other weapons to minors prohibited—Exceptions.

It is unlawful for any person to sell to any minor in the City, or to allow any such minor, or for any minor to carry (unless in a suitable case or securely wrapped), any firearm, gun or rifle, or other gun or device discharging by the use of powder, air or springs any bullet or shot of any kind, or to carry any sling or slingshot, except when accompanied by parent or legal guardian; provided, that the provisions of this section shall not apply to the possession of such firearms or other such instruments by such minors in bona fide shooting galleries, or on pistol and rifle ranges, the locations of which have been approved by the Council.

Gustine Code of Ordinances

Codified through Ordinance No. 471, enacted February 2, 2016. (Supp. No. 5)

Title 7 Public Safety
Chapter 7 Miscellaneous Provisions
Article 2 Weapons

Section 7-7-31 Exemptions.

(b) This article shall not apply to the keeping of weapons at a place of business or residence by a person 18 years of age or older lawfully in possession of such weapon.

(c) This article shall not apply to the keeping or use of weapons on the premises of any shooting gallery, practice range, skeet field, archery range, or similar place conducted at a fixed location and with regard to which adequate safeguards have been provided to protect persons and property from injury.

(e) This article shall not be deemed to make punishable any act that is allowed or prohibited by any state law.

Section 7-7-32 Seizure.

The chief of police is authorized to seize and impound any weapon or missile which is kept, possessed or used in violation of this article, and to hold the same for a period of 30 days and until it is claimed by its owner. Such articles may not be returned to any person under the age of 18 years but may be returned to his parent or guardian. This section shall not be deemed to make punishable acts which are allowed or prohibited by any law of the state.

Section 7-7-33 Parental responsibility.

No parent, guardian, or any adult person having the control, custody, or charge of any person under the age of 18 years, shall knowingly permit, allow, or let such person use or possess a weapon in violation of this article.

Section 7-7-37 Possession of firearm by minor.

(a) No person under the age of 18 years shall have in his possession any firearm within the city limits unless he, at all times during the possession has on his person the written consent of a parent or guardian, is accompanied by his parent or guardian or is participating in and going to and from and organized, lawful recreational or competitive shooting activity or lawful hunting activity.

(b) As used in this section, the term "**firearm**" means any firearm except any pistol, revolver, or firearm capable of being concealed upon the person as described in Penal Code 12001, or a BB gun, pellet gun or spot-marking gun as described in Penal Code 12001.1 or any other firearm the possession of which by minors is regulated by state law.

Half Moon Bay Code of Ordinances
Codified through Ordinance No. C-2018-05, passed October 16, 2018.

Title 9 Public Peace, Morals and Welfare
IX Weapons
Chapter 9.45 Regulations for Firearm Sales

Section 9.45.010 Definitions.

The following definitions govern the construction of this chapter:

A. "**Firearm**" means any device, designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or other form of combustion.

B. "**Firearm ammunition**" means any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used in the manufacture of ammunition.

C. "**Firearm ammunition component**" means any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used in the manufacture of ammunition.

D. "**Firearms dealer**" means any person, firm, association, partnership, corporation, or other entity which engages in, conducts, or carries on the business of selling, dealing in, trading, or transferring any firearms.

E. "**Saturday night special**" means any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breech block, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy, or other material of equal or higher tensile strength;

2. A semi-automatic pistol which:

a. Is not originally equipped by the manufacturer with a locked-breech action, and

b. Is chambered for cartridges developing maximum permissible breech pressures above twenty-four thousand one hundred copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute,

c. For purposes of this subsection (E)(2), "semi-automatic pistol" means a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber; (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276;

3. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

a. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rim fire ammunition developing maximum permissible breech pressures below nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

b. Is chambered to fire either center fire ammunition or rim fire ammunition developing maximum permissible breech pressures above nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

c. Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger, or

d. If rim fire, is equipped with a barrel of less than twenty bore diameters in overall length protruding from the frame,

e. For the purpose of this subsection (E)(3), "action mechanism" means the mechanism of a firearm by which it is loaded, locked, fired and unloaded;

4. "Saturday night special" does not include any of the following:

a. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraph (5), (7) or (8.) of subsection (b) of California Penal Code Section 12020, or

b. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion, or

c. Children's pop guns or toys, or

d. An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12), or

e. Any pistol which has been modified to either render it permanently inoperable or permanently make it a device no longer classified as a "Saturday night special" under the terms of this chapter.

Section 9.45.020 "Saturday night special" roster.

On or before July 1, 1997, the chief of police or his/her designee shall compile and thereafter maintain a roster of Saturday night specials as defined within the terms of this chapter. The roster shall list those firearms, by manufacturer and model number, which the chief of police or his designee determines to fit the definition of Saturday night special set forth in Section 9.45.010. This roster shall be reviewed annually by the chief of police or his/her designee to determine which firearms should be added to or deleted from the roster.

Section 9.45.030 Publication.

The chief of police or his/her designee shall publish the roster of Saturday night specials on a semi-annual basis and shall send a copy of the roster to every dealer within the city who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California.

Section 9.45.040 Sales of "Saturday night specials" prohibited.

No wholesale or retail firearms dealer within the city shall sell, offer or display for sale, give, lend, lease, or transfer ownership of, any "Saturday night special."

Section 9.45.050 Exemptions.

Nothing in this chapter relative to the sale of "Saturday night specials" shall prohibit the disposition of any firearm by police officers, sheriffs, marshals, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Government for use in the performance of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the abovementioned persons in the performance of their official duties.

Section 9.45.060 Trigger lock or other safety device requirement.

The licensee shall not sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each firearm a trigger lock, locking hard case, locking gun cabinet, safe, or such other device that is designed to prevent the unintentional discharge of the firearm.

Section 9.45.070 Penalties.

Any person or entity, whether as principal, agent, or otherwise, violating or causing or permitting the violation of this chapter, shall be guilty of a misdemeanor. Upon conviction, the person convicted shall be punished in accordance with Chapter 1.16 of this code.

Chapter 9.48 Firearms

Section 9.48.010 Definition.

"Firearms" is defined as a cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, BB gun, air gun, pellet gun or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 9.48.040 Possession by minors--Prohibited.

It is unlawful for any person under the age of eighteen years to have in his possession in a public place any firearm, except as provided in Section 9.48.050.

Section 9.48.050 Possession by minors--Exceptions.

The provisions of Section 9.48.040 shall not apply to said persons under the age of eighteen years in the following cases:

A. When said person is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of said person under the age of eighteen years;

B. When the firearm is unloaded and either:

1. In a dismantled or "take-down" condition; or

2. Completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun is deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof;

C. When said person is lawfully hunting pursuant to the provisions of the California Fish and Game Code and in possession of a hunting license issued as prescribed by that code.

Section 9.48.060 Sale to minors prohibited.

No person shall sell, deliver or transfer to any person under the age of eighteen years, ownership of any pistol, revolver or other similar weapon capable of being concealed upon the person, designed to discharge a solid projectile propelled by the expansion of a gas.

Hawaiian Gardens Code of Ordinances

Codified through Ordinance No. 581U and the July 2018 code supplement.

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.60 Weapons

Section 2-6.27 9.60.010 Sale of weapons to minors.

It is unlawful in the city for any person, firm or corporation to sell, give, lend or in any way furnish to any person under the age of eighteen years, any gun, revolver, pistol, firearm, spring gun, sling, sling shot, or device designed, or intended, to discharge or capable of discharging, any dangerous missile.

Section 9.60.020 Sale of ammunition to minors.

It is unlawful in the city, for any person, firm or corporation, to sell, give; lend, or in any way furnish or to cause or permit to be held, given, lent, or in any way furnish, to any person under the age of eighteen years any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from any gun, revolver, pistol or firearm.

Section 9.60.060 Assault weapons—Sale or possession prohibited.

A. Subject to subsection C of this section, the term "**assault weapon**", as used in this section, shall include:

1. Any semiautomatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of twenty rounds or more, including but not limited to the following firearms or their copies; AR 15 semiautomatic assault rifles, Uzi semiautomatic assault rifles or carbines, Ingram Mac-10 semiautomatic assault carbines, Ingram Mac-11 semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, AK-47 semiautomatic assault rifles, AKM-47 semiautomatic assault rifles, all Avtomat Kalashnikov weapons, M1-A semiautomatic assault rifles, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

2. Any shotguns with a barrel of less than eighteen inches and a folding stock or magazine capacity of more than six rounds;

3. Any weapon which may be readily restored to an operable assault weapon, as defined above in subdivisions 1 and 2 of this section; and

4. Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined above in subdivisions 1 and 2, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under the control of the same person.

B. As used in this section, the term "**semiautomatic**" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

C. The term "assault weapon" does not include any of the following:

1. Any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by Section 12200 of the Penal Code of the state of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the state;

2. Any of the following: weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single-shot weapons, multiplebarrel weapons, revolving cylinder weapons, semiautomatic weapons which use exclusively Mannlicher-style clips, semiautomatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;

3. Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of Section 12020 of the Penal Code of the state;

4. Any short-barreled rifle or shotgun as defined in subsection (c) of Penal Code Section 12020; or

5. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

D. Except as specified in subsections E, F and G of this section, no person, including wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.

E. Nothing in this section shall prohibit the acquisition, possession, or disposition by Los Angeles County sheriff's departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or of the United States for use in the discharge of their official duties; nor shall anything in this section prohibit the possession of assault weapons or magazines therefor by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of assault weapons is within the scope of their duties.

F. The provisions of this section shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the state or Section 2010 of the Fish and Game Code of the State.

G. Notwithstanding the provisions of subsection D of this section:

1. Any person who obtains title to an assault weapon by bequest or intestate succession may remain possession for a period of time not to exceed six months, and shall within that time transfer title of the weapon to a dealer licensed pursuant to Article 4 of the State Penal Code, commencing at Section 12250, or to the Los Angeles County sheriff's department or other police agency;

2. An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use; and

3. An assault weapon may be possessed by any federal, state or local historical society, museum or institutional collection which is open to the public, provided any such weapon is properly housed, secured from unauthorized handling and is unloaded.

Hawthorne Code of Ordinances

Codified through Ordinance No. 2157 and the July 2018 code supplement.

Title 9 Public Peace, Morals and Welfare
Division VII Offenses by or Against Minors
Chapter 9.78 Sale of Firearms and Ammunition to Minors

§ Sec 9.78.010 Regulations.

A. Selling. No person shall sell, exchange, give or loan any cartridge, shell, ammunition or other device containing any explosive, or designed and intended for use in connection with any gun designed and intended to discharge any pellet, shot or other dangerous missile, to any person under the age of eighteen years.

B. Possession. No minor under the age of eighteen years shall have in his possession, care, custody or control any gun, revolver, pistol or other firearm, or any cartridge, shell, ammunition or other device containing any explosive, or designed and intended for use in connection with any gun, revolver, pistol or other firearm.

Hayward Code of Ordinances

Codified through Ordinance No. 18-11, adopted September 18, 2018. (Supp. No. 8)

Chapter 3 Public Safety
Article 4 Dangerous Weapons

Section 3-4.00 Dangerous weapon definition.

Dangerous weapon shall mean and include:

4. Any rifle, gun, pistol, revolver, air rifle, B-B gun, air gun, sling, sling shot, or other similar instrument or device designed or intended to discharge or capable of discharging a bullet shot, or other missile of any kind.

Section 3-4.10 Use, possession, discharge, sale of dangerous weapons.

Except as otherwise provided herein, it shall be unlawful for any person in the City to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

Section 3-4.11 Same, exceptions.

Nothing in this Article shall be deemed or construed to prohibit the selling, giving, loaning or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subdivision 6 of Section 3-4.00 nor prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some adult person; nor to prohibit any minor from using or having in his possession or control any dangerous weapon which is in good faith in his possession or control or use for his lawful occupation or employment or for the purpose of lawful recreation.

Chapter 6 Business, Professions and Trades
Article 11 Permit Requirements for Firearms Dealers

Section 6-11.01 Definitions.

(a) Firearms means any device designed to [be] used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

(b) Ammunition, as used in this article, shall include any ammunition for use in any firearm.

(c) Firearms dealer means a person engaged in the business of selling, transferring, or leasing; or advertising for sale, transfer, or lease' or offering or exposing for sale, transfer, or lease, any firearm and/or ammunition, either directly or indirectly; and/or engaged in the retail sale of ammunition.

(d) Engaged in the business means the conduct of a business by the selling, transferring, or leasing of any firearm and /or ammunition; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm and/or ammunition; or the selling, transferring, or leasing of firearms and/or ammunition, in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(e) Person means a natural person, association, partnership, firm, or corporation.

(f) Chief of Police means the Chief of Police of the Hayward Police Department or his or her designee.

Section 6-11.02 Permit required.

It shall be unlawful for any person, partnership, cooperative, corporation, firm, or association to engage in the business of operating or managing any business which sells, transfer, leases, or offers or advertises for sale, transfer, or lease, any firearm and/or ammunition without first obtaining a firearms dealer permit from the Chief of Police of the Hayward Police Department.

Section 6-11.03 Application form; fee.

An applicant for a Permit under this article shall file with the Chief of Police a sworn application in writing, on a form to be prescribed by the City. The application shall be accompanied by a non-refundable fee for administering this chapter as set forth in the City's Master Fee Resolution. The applicant shall provide all information requested to demonstrate compliance with this article, including:

(a) The name, age and address of applicant;

(b) The address of the proposed location for which the permit is required, together with the business name, if any;

(c) Proof of a possessory interest in the property at which the proposed business will be conducted, in the form of ownership, lease, license, or other entitlement to operation at such location and the written consent of the owner of record of the real property;

(d) A floor plan of the proposed business which illustrates the applicant's compliance with security provisions of section 6-11.06;

(e) Proof of compliance with all federal and state licensing laws;

(f) Information relating to licenses or permits relating to other weapons sought by the applicant from other jurisdictions, including, but not limited to date of application and whether each application resulted in issuance of a license;

(g) Information relating to any and every pending or former revocation of a license or permit held by applicant relating to firearms, including, but not limited to date and circumstances of the revocation;

(h) Applicant's agreement to indemnify, defend and hold harmless the city, its officers, agents, and employees from and against all claims, losses, costs, damage, and liabilities of any kind, including attorney fees, arising in any manner out of the applicant's negligence or intentional or willful misconduct;

(i) Certification of satisfaction of insurance requirements under section 6-11.08;

(j) All convictions of the applicant for any of the offenses listed in section 6-11.11 subd. (e);

(k) Information from the City of Hayward Department of Economic Development indicating that the design and location of the proposed business complies with the requirements of the City's zoning code.

Section 6-11.04 Application; investigation.

The Chief of Police shall conduct an appropriate investigation to determine for the protection of the public safety whether the permit may be issued. The Chief of Police may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the Police Chief, and any other additional information which the Police Chief considers necessary to complete the investigation.

Section 6-11.05 Conditions of approval.

In addition to other requirements and conditions of this article, a permit is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the permit by the Chief of Police:

(a) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event which is authorized by federal and state law upon compliance with federal and state law;

(b) The permit, or a certified copy of it, shall be displayed on the premises and at gun shows where it can be easily seen;

(c) The applicant shall not permit any person under eighteen (18) years of age to enter or remain within the premises without being accompanied by the parent or other adult legally responsible for the minor child where the firearms and/or ammunition sales activity is the primary business performed at the site;

(d) The permittee shall not deliver a firearm to a purchaser earlier than is allowed by applicable state and federal law;

(e) The permittee shall not deliver a firearm to another purchaser, lessee, or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container;

(f) The permittee shall not deliver a firearm to a purchaser, lessee, or other transferee under the age of eighteen (18) years, or a firearm capable of being concealed upon the person to another person under the age of twenty-one (21) years. Clear evidence of the identity and age of the purchaser shall be required before delivery of a firearm to a purchaser, lessee, or other transferee. Evidence of identity may include, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an employee identification card containing the bearer's signature and photograph, or similar documentation which provides the permittee or seller reasonable assurance of the identity and age of the purchaser;

(g) The permittee shall not sell, lease or otherwise transfer a firearm to a person whom the permittee or seller has reason to believe is within any of the classes prohibited by California Penal Code section 29900, et seq., or Welfare and Institutions Code section 8100 or 8103;

(h) No firearm or imitation of one, or placard advertising its sale or other transfer, shall be displayed in any part of the premises where it can readily be seen from the outside;

(i) The permittee shall not sell, lease, or otherwise transfer a firearm without also selling or otherwise providing with each such firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm;

(j) The permittee shall properly and promptly process firearms transactions as required by Penal Code section 12082;

(k) The permittee shall keep a register of sales as required by Penal Code sections 12073 and 12077;

(l) The permittee shall post conspicuously within the licensed premises all charges and fees required by Penal Code section 12071(b)(11) and the following warning in block letters not less than one (1) inch in height:

IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT, YOU MAY BE FINED OR SENT TO PRISON

(m) No firearm capable of being concealed on the person shall be delivered to a purchaser or transferee, unless that person presents to the permittee or seller a current basic firearm safety certificate, unless otherwise exempted by state law;

(n) The permittee shall offer to provide to the purchaser or transferee of a firearm a copy of the pamphlet described in Penal Code section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm;

(o) The permittee shall report to the police department the loss or theft of a firearm and/or ammunition that is merchandise of the permittee, a firearm that the permittee takes possession of pursuant to Penal Code section 12082, or a firearm and/or ammunition kept at the permittee's place of business, within 48 hours of discovery.

Section 6-11.06 Requirement of secured facility.

(a) In addition to the conditions of approval stated in section 6-11.04, the business location as shown on the police permit shall be a secured facility meeting all of the following specifications:

(1) Every perimeter doorway shall include one (1) of the following:

(i) A windowless steel security door equipped with both a dead bolt and a doorknob lock; or

(ii) A windowed metal door that is equipped with both a deadbolt and a doorknob lock. If the window has an opening of five (5) inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine (9) gauge affixed to the exterior or interior of the door;

(2) Every perimeter doorway shall also be provided with an exterior metal grate that is padlocked and affixed to the permittee's premises independent of the door and the door frame;

(3) Every window covered with steel bars;

(4) Heating, ventilating, air-conditioning and service openings are secured with steel bars, metal grating;

(5) Any metal grate may not have a space larger than six (6) inches wide measured in any direction;

(6) Each metal screen may not have a space larger than three (3) inches wide measured in any direction;

(7) All steel bars shall be no further than six (6) inches apart;

(8) Every building used for the display, sale, transfer, or storage of firearms and/or ammunition shall be equipped with an alarm system that sounds both an audible intrusion alarm and a silent intrusion alarm transmitted to a central monitoring station. The alarm system shall be installed to protect all windows, doors, grates, roof access doors, heating, ventilating, air conditioning, and service openings. The alarm system shall also be equipped with a button or device to activate the silent alarm in the event of a robbery.

(b) The Chief of Police may approve alternative security which he or she considers will provide equivalent or superior security to the premises as the measures required under subsection (a) of this section.

(c) Every firearm that is kept in the permitted place of business shall be stored using one (1) of the following methods:

(1) The firearm shall be secured with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents that removal of the firearm from the premises;

(2) The firearm shall be stored in a locked fireproof safe or vault in the permittee's place of business;

(3) All firearms shall be stored on the premises out of the reach of customers in secure, locked facilities approved by the Chief of Police by which access to firearms is controlled by the permittee or seller to the exclusion of all others.

Section 6-11.07 Records of ammunition sales.

(a) No firearm dealer shall sell or otherwise transfer ownership of any ammunition without recording, at the time of purchase, the following information on a form to be prescribed by the Police Chief: the date of the transaction; the name, address and date of birth of the transferee; the transferee's driver's license or other identification number and the state in

which it was issued; the brand, type and lot or batch number, if any, and amount of ammunition transferred; and the transferee's signature.

(b) The information required to be recorded shall be maintained in chronological order by date of sale of the ammunition and shall be retained on the business premises of the vendor for a period not less than two (2) years following the date of the recorded sale of the ammunition.

(c) City of Hayward Police Officers may enter a vendor's premises during regular business hours for the purpose of examining or inspecting records required by this section.

Section 6-11.08 Liability insurance.

(a) No permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the City Attorney and executed by an insurance company approved by the City Attorney, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease, or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than one million dollars ($1,000,000.00) for each incident of damage to property or incident of injury or death to a person, provided, however, that additional amounts may be required by the City Attorney if deemed necessary.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the Chief of Police at least thirty (30) days prior to the time the cancellation becomes effective;

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained, the permit is considered canceled without further notice. The burden is on the permittee to show that a policy has been renewed or obtained.

Section 6-11.09 Issuance of permit; duration.

(a) The Chief of Police may grant a permit to the applicant if he or she finds that the applicant complies with all applicable federal, state, and local laws, including, but not limited to, the state Penal Code, City building code, fire code, and zoning code.

(b) A permit expires one (1) year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a non-refundable renewal fee established by and set forth in the City's Master Fee Resolution.

(c) A decision regarding issuance or renewal may be appealed in the manner provided for in section 6-1.40.

Section 6-11.10 Permit; authority to inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, and provisions of this article. A police investigator may conduct compliance inspections to insure conformance to all federal, state, and local law, and all provisions of this article.

Section 6-11.11 Grounds for permit denial.

The Chief of Police shall deny the issuance or renewal of a permit when one (1) or more of the following conditions are met:

(a) The applicant is under twenty-one (21) years of age;

(b) The applicant is not licensed as required by federal, state, and local law;

(c) The applicant has had a firearms permit or license previously revoked or denied for good cause within the immediately preceding two (2) years;

(d) The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for a permit. If a permit is denied on the ground, the applicant is prohibited from reapplying for a permit for a period of two (2) years;

(e) The applicant has been convicted of:

> **(1)** An offense which disqualifies the applicant from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in California Penal Code section 29900, et seq.;
>
> **(2)** An offense relating to the manufacture, sale, possession, use, or registration of a firearm or dangerous or deadly weapon;
>
> **(3)** An offense involving the use of force or violence upon the person of another;
>
> **(4)** An offense involving theft, fraud, dishonesty, or deceit;
>
> **(5)** An offense involving the manufacture, sale, possession, use of a controlled substance as defined by the state Health and Safety Code, as it now reads or may hereafter be amended to read;

(f) The applicant is within a class of persons defined in the Welfare and Institutions Code sections 8100 or 8103;

(g) The applicant is currently, or has been within the past two (2) years, an unlawful user of a controlled substance as defined by the Health and Safety Code as that definition now reads or may hereafter by amended to read;

(h) The operation of the business as proposed would not comply with federal, state, and local law;

Section 6-11.12 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a permit also constitute grounds for revocation.

Section 6-11.13 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the Chief of Police has the right to a hearing before the Chief of Police before final denial or revocation.

(b) Within ten (10) days of mailing written notice of intent to deny the application or revoke the permit, the applicant may request a hearing before the Chief of Police. The request must be made in writing, setting forth specific grounds for reconsideration. If the applicant submits a timely request for reconsideration, the Chief of Police shall set a time and place for the hearing within thirty (30) days.

(c) The decision of the Chief of Police shall be in writing within ten (10) days of the hearing. An applicant may appeal the decision of the Chief of Police to the City Manager in the manner provided in section 6-1.40.

Section 6-11.14 Nonassignability.

A permit issued under this article is not assignable. An attempt to assign a firearms permit shall render the permit null and void.

Section 6-11.15 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm on the effective date of this article shall have a period of sixty (60) days after such effective date to comply with the provisions of this article.

Section 6-11.16 Severability.

This article shall be enforced to the full extent of the authority of the City of Hayward. If any section, subsection, paragraph, sentence, or word of this article is deemed to be invalid or beyond the authority of the City of Hayward, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this article, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this article shall be deemed severable.

Healdsburg Code of Ordinances

Codified through Ordinance No. 1179, passed September 17, 2018.

Title 9 Public Safety and Welfare
Chapter 916 Weapons

Section 9.16.050 Licensing authority – Issuance of firearms dealer permit.

A. The chief of police, or his or her designee, is designated as the duly constituted licensing authority of the City for accepting applications for, and the granting of, licenses as provided in Section 12071 of the California Penal Code.

B. A City processing fee shall be paid at the time an application for a license under this section is submitted. The amount of the fee shall be established from time to time by resolution of the City Council. The City processing fee shall be in addition to any fee(s) that may be payable to the state or federal government in connection with an application submitted under this section.

Title 20 Land Use Code
Chapter 20.20 Standards for Specific Land Uses
Article I Residential Related Regulations

Section 20.20.005 Home occupations

K. The specified uses below shall not be permitted as home occupations because by their nature they have one or more of the following characteristics: equipment or machinery of a type or quantity not typically found in the house; need for outside storage; parking needs greater than can be provided on site; need for special permits from other agencies; and need for extensive alteration to the residence or lot.

5. Gun repair, sale of guns or ammunition where the materials are maintained at the site (sale of five or fewer guns a year is exempt from this section).

Article II Commercial Related Regulations

Section 20.20.105 Firearm sales

A. Purpose. The purpose of this section is to regulate all firearm sales, as defined below, to provide for the appropriate location and ensure that the use does not have a negative impact on the surrounding neighborhood and is operated in a safe and secure manner.

B. Definitions. As used herein, the following definitions shall apply:

Firearm. A gun, pistol, revolver, rifle, shotgun, BB gun, airgun, pellet gun, or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of gas. “Firearm” also means any other such device as defined by the California Penal Code.

Firearm dealer. Any person, business, corporation, association, organization or other entity engaged in the business of selling, leasing, transferring, advertising, offering, or exposing for sale any firearm at a location where the floor area used for the sales, display, or storage of firearms exceeds five percent of the gross floor area of the business location.

Firearm sales. Any and all sale or commercial distribution of a firearm within the City including but not limited to sale or commercial distribution at a sporting goods store; hardware store, paint store, wallpaper store; or firearm dealer.

Hardware store, paint and wallpaper stores, with firearm sales. A business, corporation, association, organization or other entity engaged in the business of selling, leasing, transferring, advertising, offering, or exposing for sale any firearm at a location where the floor area used for the sales, display, or storage of firearms does not exceed five percent of the gross floor area of a bona fide hardware store that sells a full range of non-firearm related hardware items. The floor area used for gun sales and related activities must be contiguous, meaning that the floor area devoted to firearm sales and related activities may not be dispersed throughout the location. Firearm sales must be accessory to the hardware, paint or wallpaper sales.

Sporting goods sales, with rental as an accessory use, with firearm sales. A business, corporation, association, organization or other entity engaged in the business of selling, leasing, transferring, advertising, offering, or exposing for sale any firearm at a location where the floor area used for the sales, display, or storage of firearms does not exceed five percent of the gross floor area of a bona fide sporting goods store selling a full range of non-firearm related sporting goods. The floor area used for gun sales must be contiguous, meaning that floor area devoted to firearm sales and related activities may not be dispersed throughout the location. Firearm sales must be accessory to the sporting goods sales.

C. Conditional Use Permit Requirement.

1. All firearm sales require the approval of a conditional use permit.

2. The application and procedure for the conditional use permit, including notice and hearing requirements, shall be as set forth in Article V of Chapter 20.28 HMC (Administration).

3. The planning and building director may refer the application to other City departments to determine whether the premises where firearm sales will occur complies with the City’s building, health, zoning and fire ordinances, and any other applicable ordinances or laws. City departments may conduct an inspection of the premises to determine compliance with the ordinances and laws they administer.

4. Grounds for Conditional Use Approval, Denial or Revocation.

a. In addition to making those findings required for issuance of a CUP as set forth in HMC 20.28.165, the planning commission shall consider the following factors in determining whether to grant or deny a conditional use permit:

i. Whether the applicant has received all required federal and state permits, and the local firearms sales permit from the Healdsburg chief of police;

ii. Whether the proposed location complies with the requirements of this section;

iii. Whether the proposed use is appropriate for its location considering the character and uses of the surrounding neighborhood;

iv. Will the proposed use adversely affect the welfare of the area residents; and

v. Whether the proposed use would be in conflict with any provision contained in this section.

5. Conditional Use Permit Conditions. The planning and building director may recommend that the firearm sales conditional use permit include any conditions necessary to ensure compliance with the provisions of this section and other sections of the HMC, as well as to ensure the public health, safety, and welfare, including but not limited to:

a. A condition that the applicant maintain specified security measures on the premises of the location. Bars on the windows are not permitted unless approved by design review.

b. A condition that the applicant maintain all required federal, state and local licenses and permits, including the permit from the Healdsburg chief of police described in HMC 9.16.050.

c. A condition that the applicant provide regular documentation showing compliance with the provisions in this section.

d. A condition that firearms and ammunition, at all times, whether on display or in storage, be maintained in a secured and locked location so that access is controlled solely by the dealer or employee, to the exclusion of others.

e. A condition that storage of ammunition and other firearms-related merchandise classified by the California Code of Regulations Title 24, Part 9, California Fire Code, as amended by the City of Healdsburg, as "hazardous materials" shall be subject to the approval of the fire chief or his or her designee.

6. In addition to the above, any conditional use permit issued to an applicant to establish firearms sales operating as an accessory use to a sporting goods or hardware store shall include a condition requiring that firearm sales, display and storage do not exceed five percent of the floor area of the business location.

D. Location.

1. Firearm sales are only allowed in the zoning districts that list "firearm dealers," "hardware, paint and wallpaper stores, with firearm sales," or "sporting goods sales, with rental as an accessory use, with firearm sales" in the use table for that zoning district.

2. No firearm sales shall be located within 500 feet of the following:

a. Churches, chapels, and similar places of worship;

b. Schools, libraries, youth centers, and commercial day care establishments;

c. Parks (as used herein, the Foss Creek Pathway shall not be considered a park); or

d. Another location with firearm sales.

3. For the purposes of this section, all distances shall be measured in a straight line, without regard for intervening structures, roads, railroads, or natural features, from the nearest property line on which the firearm sales use is located to the nearest property line of any use listed above.

Hercules Code of Ordinances
Codified through Ordinance No. 509, passed May 18, 2018.

Title 4 Public Welfare, Morals and Conduct
Chapter 14 Firearms Dealer Permits and Imposition of Fee for Police Services

Section 4-14.02 Definitions.

(a) "Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

(b) "Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(c) "Engaging in the business" means the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm, or the selling, transferring, or leasing of firearms in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(d) "Person" means natural person, association, partnership, firm, or corporation.

Section 4-14.03 Permit Required.

It shall be unlawful for any person, partnership, cooperative, corporation, firm, or association to engage in the business of operating or managing any business which sells, transfers, leases, or offers or advertises for sale, transfer, or lease, any firearm without first obtaining a firearms dealer permit from the Chief of Police of the Hercules Police Department and a Hercules Business License.

Section 4-14.04 Application, Forms, Fees.

An applicant for a permit under this chapter shall file with the Chief of Police a sworn application in writing on a form to be furnished by the City. The applicant shall provide all information requested, including proof of compliance with all applicable Federal, State, and local laws when required by the Chief of Police, or application will not be deemed complete.

The application shall be accompanied by a non-refundable fee as set forth in the City of Hercules Fee Resolution. To the extent practicable, the fee amount shall reflect the cost of enforcing the requirements of this Chapter.

Section 4-14.05 Application Investigation.

The Chief of Police shall conduct an appropriate investigation to determine for the protection of the public safety whether the permit may be issued. The Chief of Police may require additional information on an applicant if deemed necessary to complete the investigation.

Section 4-14.06 Application Denial.

The Chief of Police may deny the issuance of a permit when any of the following conditions exist:

(a) The applicant, or agent thereof, is under the age of twenty-one (21) years.

(b) The applicant is not licensed as required by all applicable Federal, State and local laws.

(c) The applicant, or an officer, or responsible agent if the applicant is a corporation, has had a similar type permit previously revoked or denied for good cause within the immediately preceding two (2) years.

(d) The applicant, or an officer, or agent thereof, has made a false or misleading statement of a material fact or omission of a material fact in the application for a permit.

(e) The applicant, or an officer, or agent thereof, has been convicted of:

(1) Any offense so as to disqualify the applicant, or an officer, or agent thereof, from owning or possessing a firearm under applicable Federal, State, and local laws.

(2) Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon.

(3) Any offense involving the use of force or violence upon the person of another.

(4) Any offense involving theft, fraud, dishonesty, or deceit.

(5) Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read.

(f) The applicant, or an officer, or agent thereof, is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a dealer in firearms.

(g) The applicant, or an officer, or agent thereof, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in concealable firearms.

(h) The operation of the business as proposed will not comply with all applicable Federal, State, or local laws.

(i) The applicant, or an officer, or agent thereof, proposes to operate in the following conditions:

(1) Within a zoning district in which general retail sales commercial activities are not a permitted or conditional use.

(2) Within a zoning district in which residential use is the principal permitted or maintained use or within one hundred and fifty (150) feet of the exterior limits of any such district.

(3) Within one hundred and fifty (150) feet of a public or private day care center or day care home, or within one hundred and fifty (150) feet of any elementary, junior high, or high school whether public or private.

(4) On or within one thousand (1000) feet of any other premises occupied by a firearms dealer as measured from the entry door in a straight line.

(j) Any ground for denial exists as specified in this Code.

Section 4-14.07 Security.

In order to discourage the theft of firearms stored on the premises of a firearms dealer, any business licensed under this Chapter must adhere to security measures as required by the Chief of Police. Security measures shall include but are not limited to:

(a) The requirements listed in California Penal Code Section 12071.

(b) Storing of all firearms on the premises out of the reach of customers in secure, locked facilities, so that access to firearms shall be controlled by the dealer or employees of the dealer, to the exclusion of all others.

(c) All premises utilized for the storage and/or sale of firearms by a permit holder under this Chapter shall be protected against unlawful forced entry by an alarm system that meets or exceeds the following specifications:

(1) The alarm system shall provide detection at all building openings and closings. The system shall also have at least one interior detection device.

(2) The alarm system shall be monitored by a twenty-four (24) hour central station capable of providing immediate notification of the Police Department in the event of an activation.

(3) The subscriber or designee shall be capable of responding to the business within thirty (30) minutes following the activation of the alarm.

(4) The alarm system shall be provided with a battery backup power supply in the event that electrical power is interrupted. The battery backup shall maintain the system in service for a minimum period of four (4) hours.

(5) The alarm system shall be provided with the transmission line security protection.

(d) The Chief of Police may require additional security measures as may be reasonably necessary. Additional security requirements are subject to meet and confer with the Chief of Police or designee and appealable in accordance with Section 414.13.

(e) The alarm protection requirements outlined in subsection (c) of this Section shall not apply to existing residential applicants receiving the grandfather exception described under Section 4-14.15 of this Chapter.

Section 4-14.08 Permit form.

All permits issued pursuant to this Chapter shall be in the form prescribed by the Attorney General of the State of California.

Section 4-14.09 Permit duration and renewal.

All permits issued pursuant to this Chapter shall expire one (1) year after the date of the issuance; provided, however, that such permits may be renewed by the Chief of Police for additional periods of one (1) year upon the approval of an application for renewal by the Chief of Police and payment of the renewal fee. Such renewal application must be received by the Chief of Police, in completed form, no later than forty-five (45) days prior to the expiration of the current permit.

Section 4-14.10 Permit assignment.

The assignment or attempt to assign any permit issued pursuant to this article is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 4-14.11 Permit conditions.

Any permit issued pursuant to this Chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the Chief of Police:

(a) The business shall be carried on only in the building located at the street address shown on the license. The applicant, or an officer, employee or agent thereof shall have a possessory interest in the property at which the proposed business will be conducted before business is conducted (or engaging in the sale of firearms).

(b) The permittee shall comply with Sections 12073, 12074, 12076, 12077, and 12082 and subdivision (b) of Section 12072 of the California Penal Code, to the extent that the provisions remain in effect.

(c) A firearms dealer wishing to authorize employees to assist in the handling of firearms shall comply with the following:

(1) The firearms dealer shall maintain a current roster of the authorized employee(s) on file with the Chief of Police.

(2) Employees must be at least twenty-one (21) years of age.

(3) Each authorized employee shall possess one (1) of the following prior to handling or having access to any firearms in the course of their employment:

A. A valid Certificate of Eligibility issued by the State of California.

B. Obtain a clearance by being fingerprinted by the Hercules Police Department and having their fingerprints submitted to the California Department of Justice. The applicant shall pay the fingerprinting fee set by the City's fee schedule and the processing fee set by the California Department of Justice.

Section 4-14.12 Grounds for permit revocation.

Provisions constituting grounds for denial shall also constitute ground for revocation.

Section 4-14.13 Permit hearing.

(a) Any person whose application for a permit under this Chapter has been denied, or whose permit has been revoked pursuant to the provisions of this Chapter, shall have the right to a hearing before the Chief of Police or a designee prior to final denial or prior to a revocation.

(b) The Chief of Police shall give the applicant or permittee written notice of the intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the Chief of Police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten (10) days from the date of the receipt of the notice to file a written request for a hearing. The application may be denied or the permit revoked if a written request is not received within the ten-day period.

(c) If the applicant or permittee files a timely hearing request, the Chief of Police shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross examine any witnesses against them. If the Police Chief upholds the decision to deny or revoke the permit, the applicant has ten (10) days to file a request for an appeal to the City Manager. The appeal shall be heard by the City Manager or designee and shall be conducted in the same manner as the appeal to the Chief of Police. The decision of the City Manager or designee is final and non-appealable.

Section 4-14.14 Authority to inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, and provisions of this Chapter. A police investigator may conduct compliance inspections to insure conformance to all Federal, State, and local laws, and all provisions of this Chapter.

Section 4-14.15 Compliance.

(a) Any person possessing a valid Federal Firearms License, Certificate of Eligibility issued by the California Department of Justice, a Seller's Permit issued by the California Board of Equalization, and a valid City of Hercules Business License at the time the ordinance codified in this Chapter takes effect shall comply with the following conditions should they choose to remain in the business of selling firearms in the City:

(1) The Firearms Dealer shall have forty-five (45) days from the effective date of the ordinance codified in this Chapter to submit an application to the Police Chief for a Firearms Dealer Permit. The Police Chief shall issue a temporary permit upon verification that the dealer possesses all the certificates described in Section 4-14.16(a). The temporary permit shall be valid until the Chief of Police renders a decision on the granting of a regular permit.

(2) All conditions contained in this Chapter shall apply except that existing firearms dealers shall be exempt from the zoning requirements described in Section 4-14.06(i) with regard to sales from residential areas. Existing dealers shall qualify for this exemption as long as they remain in business at the same residential address and meet all other Federal, State, and local licensing requirements.

(3) If an existing firearms dealer does not submit the application for a permit from the Chief of Police within forty-five (45) days from the effective date of the ordinance codified in this Chapter, they will no longer be licensed to sell firearms in the City.

(b) Any person not currently licensed to sell firearms in the City of Hercules as described in Section 4-14.16(a) at the time the ordinance codified in this Chapter takes effect may not engage in the sale of firearms until a permit from the Chief of Police is obtained and are subject to all restrictions outlined in this Chapter.

Section 4-14.16 Temporary suspension of permit to sell firearms.

(a) If the dealer violates any Federal, State, or any local county or city law, the Chief of Police may immediately suspend the right of the dealer to sell firearms. This temporary suspension will not exceed three (3) days unless a criminal charge is filed in court by a Federal, State, or County District Attorney. If criminal charges are filed, such permit may be suspended until the case is adjudicated in a court of law.

(b) Notice of suspension shall be mailed to the person(s) who made the application for the permit and shall be delivered to the address listed on the permit.

Section 4-14.17 Severability.

If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are declared to be severable.

Title 9 Building Regulations
Chapter 7 Building Security Code

Section 9-7.11 Commercial and Industrial Building Security Provisions.

(f) Intrusion Detection Devices.

(2) Establishments having specific type inventories shall be protected by the following type alarm service:

C. Silent alarm—Supervised service.

ii. Guns and ammunition.

Hermosa Beach Code of Ordinances
Codified through Ordinance No. 18-1387, passed September 17, 2018.

Title 17 Zoning
Chapter 17.04 Definitions

Section 17.04.050 Commercial land use definitions.

"**Gun shop**" means retail sales of guns, firearms, ammunition, etc., in accordance with the state and federal laws.

Chapter 17.26 C1, C2 and C3 Commercial Zones

Section 17.26.020 Specific purposes.

B. The additional purposes of each zone are as follows:

1. C-1 Neighborhood Commercial Zone.

2. C-2 Downtown Commercial Zone.

3. C-3 General Commercial Zone.

Section 17.26.030 C-1, C-2 and C-3 land use regulations.

In the following matrix, the letter "P" designates use classifications permitted in commercial zones. The letter "U" designates use classifications permitted by approval of a conditional use permit. Use classification not listed are prohibited. Section numbers listed under "see section" reference additional regulations located elsewhere in the zoning ordinance or this code. For definition of the listed uses see Section 17.04.060.

C-1, C-2 and C-3 Zones, Land Use Regulations

P = Permitted
- = Not Permitted
U = C.U.P. Required (See Chapter 17.40)

Uses	C1	C2	C3	See Section
Gun shop	-	-	P	

Highland Code of Ordinances
Codified through Ordinance No. 427, passed October 23, 2018.

Title 16 Land Use and Development
Chapter 16.40 General Development Standards

Section 16.40.480 Video monitoring systems.

A. The establishment of the following permitted uses or any expansion greater than 25 percent of floor space of any of these uses in all districts shall be required to install and maintain in good working order a video monitoring system prior to the issuance of a certificate of occupancy:

10. Gun and ammunition retailers/wholesalers;

Hillsborough Code of Ordinances
Codified through Ordinance No. 471, enacted February 2, 2016. (Supp. No. 5)

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.88 Fireworks, Firearms, Explosives

Section 9.88.020 Possession, Prohibition, Responsibility for minors.

Except as otherwise provided in this chapter, no parent, guardian or person having the care, custody and control of any minor shall permit such minor to have in his possession within this town, or to fire or discharge, or cause to be fired or discharged within this town, any firearms, fireworks or explosives as specified in this chapter.

Hollister Code of Ordinances
Codified through Ordinance No. 1169, enacted August 6, 2018.

Title 17 Zoning
Chapter 17.08 Commercial Zone Land Uses and Permit Requirements

Section 17.08.020 Commercial and mixed use zone land uses and permit requirements.

The following table identifies the uses of land allowed by this Zoning Ordinance in each commercial and mixed use zone, and the land use permit required to establish each use, in compliance with Section 17.02.030 (Districts Established and Designated).

Land Use	CO	GC	NG	Additional Use Regulations	DMU	NMU	WG	Additional Use Regulations
Commercial Uses								
Secondhand or Consignment Stores	NP	P	NP	(10)	P	P	P	(9), (10)

(10) No firearm or weapon sales shall be allowed.

Chapter 17.22 Requirements for Special Land Uses
Article I Special Uses

Section 17.22.130 Home occupations.

D. Prohibited Home Occupation Uses. The following are examples of uses that are not incidental to or compatible with residential activities, and are therefore prohibited as home occupations:

Gun or ammunition sales, including off-site and by mail order;

Hughson Code of Ordinances
Codified through Ordinance No. 2018-02, passed May 29, 2018.

Title 17 Zoning
Chapter 17.03 Citywide Regulations and Special Provisions

Section 17.03.044 Home occupations.

F. Uses Not Allowed as Home Occupations. The following uses are not permitted as home occupations:

7. Gun sales are prohibited in residential zones except for existing permitted uses as of the date of adoption of the ordinance codified in this title.

Huntington Park Code of Ordinances
Codified through Ordinance No. 2018-968 and the December 2018 code supplement.

Title 5. Public Welfare, Morals and Conduct
Chapter 17. Weapons

Section 5-17.05 Mandatory reporting of lost or stolen firearms.

Any person residing or doing business in the City of Huntington Park who owns, or possesses a firearm, as defined in the California Penal Code, shall report the theft or loss of the firearm to the Huntington Park Police Department within forty-eight (48) hours after his or her discovery or knowledge of the theft or loss.

Section 5-17.06 Penalty—Misdemeanor.

Any person who fails to report a lost or stolen firearm pursuant to Section 5-17.05, when the person knew or should have known of the theft or loss, is guilty of a misdemeanor and is punishable as provided in Section 1-2.01 of this Code.

Imperial Beach Code of Ordinances
Codified through Ordinance No. 2018-1172 and the July 2018 code supplement.

Title 4 Business Taxes, Licenses and Regulations
Chapter 4.06 Garage Sales

Section 4.06.040. Prohibited items.

It is unlawful for any person to exchange, barter, trade or sell at a garage sale the following items of personal property: firearms, ammunition, explosives, animals and livestock, any item of personal property from which the serial number or identifying number has been removed, and any and all other items of personal property which may be prohibited from

being exchanged, bartered, traded or sold by ordinance or resolution of the city, the county of San Diego, or the state of California.

Imperial County Code of Ordinances
Codified through Ordinance No. 1525, adopted December 19, 2017. (Supp. No. 45, 3-18)

Title 5 Business Licenses and Regulations
Chapter 5.60 Swap Meets

Section 5.60.080 Prohibited articles.

It is unlawful for any person to sell or exchange any of the following at a swap meet:

A. Firearms or ammunition;

Indian Wells Code of Ordinances
Codified through Ordinance No. 713 and the July 2018 code supplement.

Title 9 Peace, Safety and Morals
Chapter 9.32 Minors Restrictions

Section 9.32.020 Firearms—Ammunition.

(a) Sale of Firearms to Minors. It is unlawful for any person to sell, exchange, give or loan or cause or permit to be sold, exchanged, given or loaned any gun, revolver, pistol or firearms of any description to any person under the age of eighteen (18) years unless such person is at least sixteen (16) years of age and has the written consent of the parent or legal guardian.

(b) Sale of Ammunition to Minors. It is unlawful for any person to sell, exchange, give or loan, or to cause or permit to be sold, exchanged, given or loaned, any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearms of any description, or any ammunition of any description, containing any explosive, to any person under the age of eighteen (18) years.

(d) Unlawful Possession by Minors. It is unlawful for any person under the age of eighteen (18) years to have in his possession, care, custody or control any gun, revolver, pistol, spring gun, BB or air gun or firearms of any description, or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearms of any description, or any ammunition of any description containing any explosive.

Industry Code of Ordinances
Codified through Ordinance No. 793 and the May 2016 code supplement.

Title 9 Public Pease, Morals and Welfare
VII Offenses by or against Minors
Chapter 9.56 Possession of Weapons by Minors

Section 9.56.010 Furnishing weapons—Unlawful.

Except as otherwise provided in Section 9.56.040, it is unlawful in the city, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or device, designed or intended to discharge, or capable of discharging, any dangerous missile.

Section 9.56.020 Furnishing ammunition—Unlawful.

Except as otherwise provided in Section 9.56.040, it is unlawful in the city, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.56.030 Operation—Unlawful.

Except as otherwise provided in Section 9.56.040, it is unlawful in the city, for any person under the age of eighteen years to fire, discharge., shoot, or operate, or to assist or participate in the firing, discharging, shooting, or operating, or to have in his or her possession, care, custody, or control any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or device designed or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

Section 9.56.040 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit in the city, the selling, giving, loaning, or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.56.010 and 9.56.020; nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control any article mentioned in Section 9.56.030 in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting, or operating any article mentioned in Section 9.56.030 when such person is accompanied by, and under the direct care and control of, some adult person and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed in the city, or is lawfully engaged in shooting at any inanimate target, or trapshooting device, while accompanied by, and under the direct care and control of, some such adult person.

Section 9.56.050 Penalty for violations.

Any person, firm, or corporation violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed five hundred dollars or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

VIII Weapons
Chapter 9.62 Carrying and Discharging Weapons

Section 9.62.080 Sale of firearms—Permit required.

No person shall sell at retail within the city a pistol, revolver or other firearm capable of being concealed upon the person without first having received a permit from the county sheriff authorizing such person to make such sale.

Section 9.62.090 Sale of firearms—Permit issuance.

The county sheriff shall issue a permit for the sale of firearms (see Section 9.62.080, upon the receiving of an application accompanied by whatever fee the city council shall set for the issuance of such permit or for the renewal of any permit.

Section 9.62.100 Permits—Form—Expiration.

No permit shall be issued by the county sheriff except in a form prescribed by the Attorney General of the state of California and all permits so issued shall expire upon June 30th next following the date of issuance.

Section 9.62.110 Permits—Conditions.

Any permit issued shall be subject to the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the county sheriff:

A. The business shall be carried on only in the building designated in the permit.

B. The permit or a copy thereof certified by the county sheriff shall be displayed on the premises where it can be read easily.

C. No pistol or revolver shall be delivered:

1. On the day of the application for the purchase;

2. Unless the purchaser is ‘known personally to the holder of the permit or possesses evidence of his or her identity.

D. Any pistol or revolver delivered shall be unloaded and wrapped securely.

E. No pistol or revolver or imitation thereof or placard advertising the sale or other transfer thereof shall be displayed in any part of said premises where it can be readily seen from outside of the place of business of the holder of the permit.

Inglewood Code of Ordinances
Codified through Ordinance No. 19-01 and the January 2019 code supplement.

Chapter 5 Offenses, Miscellaneous
Article 1 Disorderly Conduct

Section 5-19.1 Firearm sale to minor prohibited.

It shall be unlawful for any person to sell, exchange, give or loan to any person under eighteen years of age, any spring-blade knife, gun, revolver, pistol or firearm of any description or any spring or air gun or other device designed to intended to discharge any B-B shot, shot or other deadly or dangerous missile, or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, whether designed or intended for use in any weapons enumerated herein or not.

Section 5-19.2 Firearm possession by minors prohibited.

It shall be unlawful for any person under 18 years of age to have in his possession, care, custody or control, any weapon or article designated in Section 5-19.1.

Section 5-19.4 Ammunition sales and recordkeeping.

It shall be unlawful for any firearms dealer licensed to sell firearms or any individual, gun store, firm or corporation licensed to sell firearms ammunition to fail to comply with the following provisions:

(a) Definitions.

(1) The term "**firearm ammunition**" as used in this Section, shall include any ammunition for use in pistols, revolvers, rifles, shotguns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion.

(2) "**Vendor**" shall mean any individual, gun store, firm or corporation having a business license to sell ammunition.

EXCEPTION. Excluded from the term Vendor and not subject to the record keeping requirements of this Section shall be a duly licensed firing range which sells ammunition at the firing range and where such ammunition is expended (fired) entirely at the range and not removed from the range premises. This exception shall not relieve the Vendor of the responsibilities dictated by Penal Code Sections 12101 and 12316.

(b) Holiday Ammunition Sales.

Except as specified in subsections (1), (2), and (3) hereafter, and with the specific exception that a duly licensed firing range, as provided under subparagraph (a)(2) above, shall be excused from the requirements of this subsection (b) parts (1) to (3), no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during a period eight days prior to and including January 1st and July 4th each year.

(1) Nothing in this Section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer, or of ammunition referred to in Section 12324 of the Penal Code Section of the State of California.

(2) Nothing in this Section shall prohibit sale to or acquisition by any person described in Section 12302 or 12322 of the Penal Code of the State of California.

(3) The provisions of this Section shall not apply to the sale of any firearm ammunition when such sale is prohibited by Sections 12303, 12303.6, 12304 or 12321 of the Penal Code of the State of California.

(c) Record of Ammunition Sales. Every holder of a business license who sells ammunition shall maintain records pertaining to ammunition sales prescribed by this Chapter on the licensed premises and in the manner prescribed herein. The record shall show:

(1) The date of the transaction;

(2) The purchaser's name, address and date of birth;

(3) The purchaser's driver's license number or other identification and state where issued;

(4) The brand of ammunition purchased;

(5) The type and amount of ammunition purchased;

(6) The purchaser's signature; and

(7) The right thumb print of the purchaser or transferee on the form at the time of the purchase or transfer.

(d) Log of Ammunition Sales. The information required by subsection (c) of this Section shall be completed in the log book at the time of the purchase. Such information shall be recorded in the following format:

AMMUNITION SALES REGISTRATION LOG

STORE:

DATE

NAME

ADDRESS

DATE OF BIRTH

LICENSE/ID AND STATE

AMMUNITION BRAND

AMMUNITION TYPE AND AMOUNT

PURCHASER SIGNATURE

(1) The record shall be maintained in chronological order by date of sale of the ammunition, and shall be retained on the licensed premises of the business licensee for a period of two years following the date of the purchase of the ammunition.

(2) At the direction of the police chief or his designee, Inglewood police officers may enter the premises of any licensed vendor of ammunition during regular business hours for the purpose of examining or inspecting any record required by this Chapter.

(3) No person shall knowingly make a false entry in, or fail to make a required entry in, or fail to obtain the required thumb print, or fail to maintain in the required manner records prepared in accordance herewith. No person shall refuse to permit a police department employee to examine any record prepared in accordance with this Section during any inspection conducted pursuant to this Section, or refuse to permit the use of any record or information therefrom by the Inglewood police department.

(4) The requirements of this Section shall not apply to:

(i) Any person described in Section 12302 or Section 12322 of the Penal Code of the State of California;

(ii) Any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer;

(iii) Any person who has been issued a permit to carry a concealed weapon under the authority of Section 12050 of the Code of the State of California;

(iv) Any security guard licensed under the authority of Section 12033 of the Code of the State of California;

(v) Any firearms dealer who has been issued a Federal Firearms License or a Certificate of Eligibility by the State of California.

(5) A violation of this Section shall constitute a misdemeanor.

Section 5-19.4.1 Sale of ammunition clips and similar devices.

(a) No person shall sell or otherwise transfer to any other person a clip, magazine, belt, drum, feed strip or similar device which has a capacity of, or which can be readily restored or converted to accept, more than ten rounds of ammunition.

(b) The provisions of this Section shall not apply to:

(1) The sale or transfer of such devices to any person described in Section 12302 or Section 12322 of the Penal Code of the State of California; or

(2) The sale or transfer of ownership of such device by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer; or

(3) Any entity or establishment engaged in the business of motion picture, television, video, theatrical, or re-enactment production, provided the clip, magazine, belt, drum, feed strip or similar device is used solely as a prop in the course of the motion picture, television, theatrical, or re-enactment production by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such magazine, belt, drum, feed strip or similar device from unauthorized use; or

(4) Any federal, state or local historical society, museum or institutional collection which is open to the public provided such magazine, belt, drum, feed strip or similar device is properly housed, secured from unauthorized handling and is unloaded.

Section 5-19.4.2 Trigger locks.

It shall be unlawful for any firearms dealer licensed to sell firearms or any individual, gun store, firm or corporation licensed to sell firearms to fail to comply with the following provision:

(a) Definition.

(1) The term **trigger lock** as used in this Section, shall mean a device which is designed to prevent the firearm from functioning and which is locked by a padlock, key lock, combination lock, or a similar locking device, that is reusable, and, when applied to the weapon, renders the weapon inoperable.

(b) Trigger locks required to be included in sale of firearms.

No person shall sell, lease or otherwise transfer a firearm without also selling or otherwise providing a working trigger lock with each such firearm sold, leased, or otherwise transferred. In the event the trigger locks are not manufactured for a

particular firearm, this requirement is satisfied by selling or otherwise providing a similar device designed to prevent the unintentional discharge of firearms.

Section 5-19.6 Sale or purchase of more than one handgun within a thirty-day period prohibited.

(a) The term "**dealer**" shall mean a retail firearms dealer licensed by the City of Inglewood.

(b) No person shall make application to a dealer, as provided in Section 12072 of the California Penal Code, to purchase a pistol, revolver or other firearm capable of being concealed upon the person, herein referred to as "handgun," within thirty days of making a prior application for the purchase of a handgun within the state of California. In computing the thirty-day period, the date the application is made shall be counted as the first day.

(c) No dealer shall transfer the title of any handgun to any person whom the dealer knows has made application to purchase more than one handgun within the state of California within a thirty-day period prior thereto, nor shall any dealer process a handgun transaction between unlicensed parties pursuant to California Penal Code Section 12072 if the dealer knows that the one receiving the handgun has made application to purchase more than one handgun within the state of California within a thirty-day period prior thereto.

(d) No dealer shall transfer the title of any handgun to any person or process a handgun transaction between unlicensed parties pursuant to California Penal Code Section 12072 if the dealer prior to transfer has received notice from the California Department of Justice, herein referred to as the "DOJ," that DOJ has received an application for that person to purchase a handgun within the state of California within a thirty-day period prior thereto. For the purposes of this subsection, the date of application of purchase shall be the date the DOJ receives the dealer record of sale or receives the transmission of required information by any medium of communication authorized under state law.

(e) For the purposes of this Section, the redemption of a handgun pledged to a pawnbroker shall not be deemed the sale, purchase or transfer of title of that handgun. However, a dealer may not rely on this exemption unless the purchaser provides proof that the transaction was the redemption of a handgun pawned to a pawnbroker by the purchaser.

(f) Each dealer shall maintain records of each sale of a handgun to include the name of the purchaser, type of handgun, date of sale, and any other information required by the Chief of Police. Such records shall be maintained on the premises of the dealer for a period of not less than two years and shall be subject to inspection at any time during normal business hours.

(g) Each dealer shall post a sign in a conspicuous place with letters at least one inch high stating the obligations and restrictions of purchasers and dealers under this ordinance, pursuant to direction by the Chief of Police.

(h) The dealer shall require the purchaser, at the time of application for purchase, to indicate on a form prescribed by the Chief of Police, whether he or she has or has not made an application for the purchase of a handgun within the last thirty days, and which if any of the exemptions set forth in subsection (i) of this Section is applicable to the purchaser. If any of the exemptions is checked, the restrictions of this Section shall not apply, provided all necessary information is supplied to the dealer. The form shall be signed by the purchaser under penalty of perjury. Such form shall be maintained on the premises of the dealer for a period of not less than two years from the date of signing and shall be subject to inspection at any time during normal business hours.

(i) The provisions of this Section shall not apply to the following:

(1) Any person who is licensed to sell firearms pursuant to Article 4, commencing with Section 12070, of the Penal Code of the state of California.

(2) Any law enforcement agency.

(3) Any agency duly authorized to perform law enforcement duties.

(4) Any state or local correctional facility.

(5) Any private security company licensed to do business in the state of California.

(6) Any person who is properly identified as a full-time paid peace officer, as defined in Section 830.1, 830.2, 830.4, or 830.5 of the Penal Code of the State of California, and who is authorized to, and does, carry a firearm during the course and scope of his or her employment as a peace officer.

(7) Any antique firearm, as defined in paragraph (16) of subsection (a) of Section 921 of Title 18 of the United States Code.

(8) Any person or entity who purchases firearms in a collector's series or a bulk purchase form an estate sale.

(9) Any motion picture, television, or video production company, or entertainment of theatrical company whose production involves the use of a handgun, and which secures such handgun from unauthorized use.

(10) Any person who is exempt from the waiting period in subdivision (c) of Section 12072 of the Penal Code of the state of California.

(11) Any person who is exempt from the provisions of subdivision (d) of Section 12072 of the Penal Code of the state of California.

(12) Any person or entity conducting a transaction through a law enforcement agency pursuant to Section 12084 of the Penal Code of the state of California.

(13) Any person or entity conducting a transaction described in subdivision (k) of Section 12078 of the Penal Code of the state of California.

(14) Any person who is licensed as a collector pursuant to Chapter 44, (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, and who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to Section 12071 of the Penal Code of the State of California.

(15) Any person or entity acquiring a handgun by bequest or intestate succession.

(16) Any person or entity replacing a single handgun where the handgun was lost or stolen, and the person reported that firearm lost or stolen to the Police Department or appropriate law enforcement agency and presents the dealer with evidence of such reporting.

(17) Any seller's exchange or replacement of a handgun for a handgun purchases from that seller within the thirty-day period immediately preceding the date of exchange or replacement.

(j) Violation of subsection (b) of this Section shall be punishable as an infraction subject to a fine of fifty dollars ($50.00) for the first violation of that subsection, as an infraction subject to a fine of one hundred dollars ($100.00) for the second violation of the subsection and as a misdemeanor for the third or subsequent violations of that subsection. Each handgun applied for shall be deemed a separate violation.

(k) If any provision of this Section is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction within the state of California, such decision shall not affect the validity of the remaining provisions and the City declares that it would have adopted the remaining provisions irrespective of the fact that a provision or provisions are declared invalid or unconstitutional.

Chapter 8 Businesses, Trades and Professions
Article 3 Permits

Section 8-53.2 Category 2—$50.00.

(6) Retail sale of pistols, revolvers and other concealable firearms, pursuant to California Penal Code Section 12071. The form of any license issued under this subsection shall be as prescribed by the Attorney General pursuant to said section.

Chapter 12 Planning and Zoning
Article 1.2 Home Occupation Regulations

Section 12-17.1 Home Occupation. Prohibitions.

A home occupation under this Code shall not include a trade, business service, store, profession, manufacture or fabrication which consists of the following activities:

(k) Sale, retail or wholesale including online/mail order, of ammunition, firearms, explosives or fireworks.

Article 17.4 Live-work Overlay Zone

Section 12-38.83 General regulations.

(1) Prohibited Uses. The following business activities are prohibited in a live-work unit:

(c) Gun and weapon sales.

Irwindale Code of Ordinances
(Covering Ordinances through 686) Codified through (Covering Ordinances through 711) (Supp. No. 12)

Chapter 9.48 Weapons

Section 9.48.010 Ammunition, Sale to minors prohibited.

Except as otherwise provided in Section 9.48.030, no person shall sell, give, loan, or in any way furnish to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol, or firearm, except ordinary paper caps for toy cap guns.

Section 9.48.020 Possession and use by minors, Prohibited.

Except, as otherwise provided in Section 9.48.030, no person under the age of eighteen years shall fire, discharge, shoot, or operate, or assist or participate in the firing, discharging, shooting, or operating, or have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or device designed or intended to discharge, or be capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

Section 9.48.030 Possession and use by minors, Consent of parent or guardian required.

Nothing contained in Sections 9.48.010 and 9.48.020 shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.48.010 the 9.48.020; nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control any article mentioned in Section 9.48.020 in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting, or operating any article mentioned in Section 9.48.020 when such person is accompanied by, and under the direct care and control of, some adult person and is engaged in hunting any wild game or predatory bird or animal, if any, which may be lawfully hunted and killed in the city, or is lawfully engaged in shooting at any inanimate target, or trapshooting device, while accompanied by, and under the direct care and control of, some such adult person.

Jackson Code of Ordinances

Codified through Ordinance No. 705 and the February 2018 code republication.)

Title 5 Business Licenses and Regulations
Chapter 5.44 Pawnbrokers and Secondhand Dealers

Section 5.44.070 Disposition of pawned articles; holding period.

B. A federal licensed firearms dealer engaged as a pawnbroker or secondhand dealer is exempt from holding a firearm for the period of time stated in this section whenever the firearm is received for shipment to another person, as defined in Public Law 90-618; provided, that an accurate description of the firearm, the name and address of the person delivering the firearm to the pawnbroker or secondhand dealer, and the name and address of the person to whom the firearm is to be shipped is furnished to the police department five days prior to initiating shipment of the firearm.

Kerman Code of Ordinances

Codified through Ordinance No. 18-08, and legislation passed through June 20, 2018.

Title 17 Zoning
Chapter 17.18 Home Occupation Permits

Section 17.18.050 Prohibited uses.

The following types of home occupations shall not be allowed in a residential district, such as, but not limited to:

A. Gun and/or ammunition sales;

Kern County Code of Ordinances

Codified through Ordinance No. G-8800, passed October 9, 2018 (Supp. No. 50, Update 9)

Title 19 Zoning
Chapter 19.94 Home Occupations

Section 19.94.020 Permitted home occupations.

Home occupations may include, but are not necessarily limited to, the following:

A. Artist, sculptor, or photography studio, taxidermist, or firearm repair;

O. Firearm sales, provided that resident has obtained: a federal firearms license, a seller's permit from the state board of equalization and certificate of eligibility from the Department of Justice. Stocking of firearms and ammunition for retail sales shall be prohibited.

La Habra Code of Ordinances

Codified through Ordinance 1793 and the August 2018 code supplement.

Title 9 Public Peace and Welfare
Chapter 9.20 Firearms

Section 9.20.020 Possession by minor.

It is unlawful for any person to allow or to permit any minor to have or carry any such gun or device as set forth in Section 9.20.010 on any public place or upon any public thoroughfare or in any vehicle within the city unless in the immediate presence of his/her parent or guardian.

La Mirada Code of Ordinances

Codified through Ordinance No. 705, passed July 10, 2018 (Supp. No. 27)

Title 21 Zoning
Article IV Base Zoning Districts and Related Use and Development Provisions
Chapter 21.20. Commercial Zoning Districts

Section 21.20.010 District purposes.

Four commercial zoning districts are established to implement the commercial (C) land use designation of the general plan. Commercial zoning districts are as follows:

(1) Administrative office district (C-O).

(2) Neighborhood commercial (C-1) district.

(3) General commercial (C-4) district.

(4) Freeway commercial (C-F) district.

Section 21.20.020 Permitted land uses.

Table 21.20.020 identifies permitted uses, permitted accessory uses, uses permitted subject to conditional use permit approval, and uses prohibited in all commercial zoning districts, subject to compliance with all other provisions of this title. Uses not listed in Table 21.20.020 are prohibited. Chapter 21.42 contains additional regulations regarding accessory use.

Table 21.20.020 Permitted Uses in Commercial Zoning Districts [11]

Use	C-O	C-1	C-4[(1)]	C-F
Gun shop (including accessory sale of firearms)	X	X	CUP	CUP

P = Permitted; CUP = Conditional Use Permit required; A = Accessory; X = Not Permitted

Notes:

[1.] For any commercial business in the C-4 zone located within 50 feet of any residentially zoned property, the hours of business operation shall be limited to between 7:00 a.m. and 11:00 p.m.

[11.] Any expansion or intensification of a use previously granted a CUP shall require the filing of a new CUP application.

La Mesa Code of Ordinances

Codified through Ordinance No. 2017-2858, passed November 18, 2017 (Supp. No. 16)

Title 6 Business Licenses and Regulations
Chapter 6.13 Swap Meets and Swap Lots

Section 6.13.130 Prohibited articles.

It is unlawful for any person to exchange, barter, trade or sell firearms or explosives in a swap meet.

Title 10 Public Peace, Safety and Morals
Chapter 10.28 Firearms

Section 10.28.010 Firearm defined.

As used in this chapter, the word "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive. The word "explosive" includes, but is not limited to, compressed air.

Section 10.28.020 Possession of firearm by infant.

No person under the age of eighteen shall be allowed to have in his possession within the city limits of the city of La Mesa any firearm presently capable of expelling a projectile.

Section 10.28.030 Permitting violation by infant.

No parent, guardian of the person, or person having temporary control and custody of a person under the age of eighteen years shall knowingly allow said person to do any act prohibited by Section 10.28.020.

Section 10.28.040 Impounding and return of firearm.

Should a policeman of the city of La Mesa apprehend a person acting in violation of Section 10.28.020, he shall thereupon impound the firearm in question in the police station; and such firearm shall remain impounded until the owner of the firearm requests possession of said firearm, if he be a person other than the person who violated Section 10.28.020.

Section 10.28.050 Return to parent.

If the owner of the firearm be the person who violated Section 10.28.020, then the firearm in question shall be returned only to a parent of such a person, or the guardian of the person.

La Puente Code of Ordinances

Codified through Ordinance No. 955, passed April 24, 2018. (Supp. No. 18)

Title 5 Business Regulation and Licenses
Chapter 5.32 Gun Dealers

Section 5.32.010 Permit required.

No person shall engage in conduct or carry on the business of a gun dealer without a permit issued under the provisions of Chapter 5.08 of this title. If any of the provisions of Chapter 5.08 of this title conflict with the provisions of this chapter, the provisions of this chapter shall prevail as to all matters and questions arising out of the subject matter of this chapter.

Section 5.32.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless it is plainly evident from the context that a different meaning is intended:

"Ammunition" means any cartridge or encasement, bullet or projectile, primer or propellant or explosive material which is used in the operation of firearm.

"Firearm" includes, but is not limited to, any pistol, revolver, rifle, shotgun or any other device, designed to be used as a weapon or modified to be used as a weapon, that expels a bullet or projectile by the force of explosion of the form of combustion.

"Gun dealer" means any person who sells or otherwise transfers to the public any firearm, including any person required by Section 12070(a) of the California Penal Code to obtain a permit under California Penal Code Section 12071. "Gun dealer" also includes any person who purchases, takes in trade or accepts on consignment from the public any firearm.

"Person" means any individual, firm, business, partnership, corporation, cooperative, company, association, joint stock association, church, religious sect, religious denomination, society, organization, or league and shall include any trustee, receiver, assignee, agent, solicitor, or other similar representative thereof.

Section 5.32.030 Additional information required for application.

In addition to the information required pursuant to Section 5.08.030(a) of this title, an applicant for a permit to operate as a gun dealer shall furnish evidence that the applicant owns, leases or legally occupies a fixed place of business.

Section 5.32.040 Permit granted subject to specific conditions.

If a permit is granted under this chapter, it shall be subject to the conditions set forth in Penal Code Section 12071 as well as any conditions imposed pursuant to the provisions of Sections 5.08.120 of this title and 5.32.060 of this chapter.

Section 5.32.050 Additional criteria for issuance or denial of permit.

The director shall grant the permit only if he or she finds that there is no reason to deny the permit under Section Section 5.08.060(b) of this title and that all of the following requirements have been met:

(a) The gun dealer, and all officers, employees, and agents of the gun dealer are at least twenty-one years of age;

(b) Neither the gun dealer, nor any officer, employee, or agent of the gun dealer, has had a similar type of permit previously revoked or denied within the immediately preceding two years;

(c) Neither the gun dealer, nor any officer, employee, or agent of the gun dealer, has been convicted of:

(1) Any offense disqualifying said individual from owning or possessing a firearm under applicable federal, state, or local laws,

(2) Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,

(3) Any offense involving the use of force or violence upon the person of another,

(4) Any offense involving theft, fraud, dishonesty, or deceit, or

(5) Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code, as said definition now reads or may hereafter be amended to read;

(d) The gun dealer has a fixed place of business where all permitted activities will be conducted and where all firearms and ammunition will be stored. Under no circumstance may the address of the fixed place of business be either a United States Post Office box or a private commercial mailbox. The permit shall specify the street address of said fixed place of business;

(e) The gun dealer's fixed place of business is not located in any area or district that is zoned for residential use; and

(f) The gun dealer agrees to indemnify, defend and hold harmless the city of La Puente, its officers, agents and employees, from claims arising from the negligent or intentional acts of said gun dealer.

Section 5.32.060 Operating requirements.

(a) Records and Reporting Requirement. In addition to properly maintaining all records and documents required by state and federal laws, a gun dealer, upon purchasing, taking in trade or accepting on consignment from the public any firearm of any type, shall comply with buy-form requirements as enumerated in Part 7 of Chapter 7.76, beginning with Section 7.76.310 of the Los Angeles County Code. A gun dealer shall also be required to report every sale, lease, or other transfer of a firearm to the Los Angeles County sheriff's department on a form prescribed by the sheriff.

(b) Inspection. Upon the request of any designated representative of the Los Angeles County sheriff's department or any peace officer, a gun dealer shall:

(1) Furnish all records pertaining to the gun dealer's transactions including, but not limited to, all records required to be maintained by law; and

(2) Permit an inspection of those portions of the permitted premises where the firearms and firearm accessories are located.

(c) Security Requirements. The gun dealer shall comply with all security requirements imposed by state law.

(d) Continuing Compliance. The gun dealer shall continue to comply with all the criteria for issuance of the original permit which are required by this chapter.

Section 5.32.070 Compliance by existing dealers.

Any gun dealer permitted to engage in the sale of firearms prior to the effective date of this chapter shall, within ninety days after said effective date, comply with the provisions of these amendments.

Section 5.32.080 Officers, employees and agents of gun dealers defined.

Any reference in this chapter to an officer, employee or agent of a gun dealer shall apply only to those persons who directly participate in firearm sale transactions or who have access or control of the firearms.

Section 5.32.090 Additional grounds for modification, revocation or suspension.

In addition to the grounds set forth in Section 5.08.110 of this title, a permit authorizing a person to engage in, conduct or carry on the business of a gun dealer shall be revoked or suspended by the city if the permittee fails to comply with the requirements of this chapter.

Section 5.32.110 Penalty.

Any gun dealer violating the provisions of this chapter is guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars, or imprisonment for a term not to exceed six months, or both. This penalty is in addition to all other penalties provided by law, and the immediate revocation of the gun dealer's permit granted pursuant to this chapter.

La Quinta Code of Ordinances

Codified through Ordinance No. 569 and the May 2018 code supplement.

Title 3 Revenue and Finance
Chapter 3.28 Business Licenses

Section 3.28.040 License subject to other regulations and fees.

Persons required to obtain and pay for a business license for transacting and carrying on any business under this chapter shall not be relieved from the payment of any fees for the privilege of carrying on any similar or related activity required under any other ordinance of the city and shall remain subject to the regulatory provisions of other ordinances. No person shall be entitled to a business license and the collector shall not issue a business license to any person commencing business unless and until said person shall have complied with all applicable city ordinances. No license shall be issued covering any food or drink dispensing establishment, restaurant, pet hospital, pet shop, veterinarian, or kennel services until the applicant has obtained applicable permits and licenses from the Riverside County department of health, and if applicable, from the State Alcoholic Control Board. No person shall be issued a business license without first obtaining a State Board of Equalization seller's permit, if applicable, and adding the city of La Quinta as a sublocation. No license shall be issued covering the sale of firearms until the applicant has obtained applicable permits and licenses from the Riverside County sheriff's department.

La Verne Code of Ordinances

Codified through Ordinance No. 1083 and the June 2018 code supplement.

Title 18 Zoning
Chapter 18.96 Home Occupations Permits

Section 18.96.080 Criteria for specific uses.

C. Those uses which permit clientele to visit the premises are those where it is customary or practical for the client to go to the source of service. Those businesses that are limited to office use only, with no clientele visits, are those where it is practical for the business person to conduct business off-site. In all cases, the use shall not interrupt or interfere with the general nature or residential character of the neighborhood in which the use is located. Permitted uses are:

5. Gun Sales and Gun Repair.

a. The applicant shall comply with all requirements of the Federal Firearms License.

b. Repairs shall be limited to the garage area and shall not replace required parking.

c. Hours are limited to eight a.m. to eight p.m.

d. The applicant shall comply with all state and county regulations in addition to the federal regulations.

e. The applicant shall meet city of La Verne police department and fire department requirements.

Lafayette Code of Ordinances

Codified through Ordinance No. 668, adopted July 23, 2018. (Supp. No. 18)

Title 6 Planning and Land Use
Part 2 General Regulations
Chapter 6-4 Activity Classifications

Section 6-421 Firearm sales.

"Firearm sales" means the sale, transfer, lease, offer or advertising for sale or lease of a firearm, which includes a gun, pistol, revolver, rifle or any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

Chapter 6-5 General Provisions
Article 1 Miscellaneous

Section 6-533 Firearm sales.

(a) Purpose. It is the purpose of this section to provide for the appropriate location of firearm sales activity and regulate such activity through the permitting process.

(b) Permit Requirement. The sale of firearms is permitted on the issuance of a land use permit, and a police permit as provided under Chapter 8-6, Article 2, in the Retail Business District (RB), General Commercial District (C), Special Retail Business District (SRB) and General Commercial District 1 (C-1). Firearm sales are prohibited in all other land use districts.

(c) Procedure. An applicant for a land use permit for sale of firearms shall apply to the planning commission by application prescribed by the city in the manner provided by Section 6-201 et seq.

(d) Criteria. In addition to the findings required under Section 6-215, the planning commission shall review an application for a land use permit for the sale of firearms for satisfaction of the following criteria:

(1) Locational compatibility of the proposed use with other existing uses in close proximity, in particular elementary, middle or high school, pre-school or day-care center, other firearms sales business, liquor stores and bar, and residentially zoned area;

(2) Architectural compatibility of the proposed use with other existing uses in the vicinity, due to the requirements of Chapter 8-6, Article 2 regarding a "secure facility."

(e) Conditions. An approved land use permit is not valid until the applicant satisfies the following terms and conditions:

(1) Possession of a valid police permit as required under Section 8-605 et seq.;

(2) Possession of all licenses and permits required by federal and state law; and

(3) Compliance with the requirements of the city's building code, fire code and other technical code and regulation which governs the use, occupancy, maintenance, construction or design of the building or structure. The use permit shall also contain a condition that the applicant must obtain a final inspection from the city building official demonstrating code compliance before the applicant may begin business at the premises at issue.

(f) Nonconforming Use. An operator of a firearm sales activity in a residential zone who is the holder of a valid seller's permit issued by the State Board of Equalization and a valid certificate of eligibility issued by the California Department of Justice, all of which were issued prior to October 24, 1994, may continue his/her firearms sales activity provided a police permit are obtained from the city within 60 days of the effective date of the ordinance codified in this section, and provided the operator remain fully licensed by all agencies listed above.

Part 3 Land Use Districts
Chapter 6-9 Business and Commercial Districts
Article 2 General Commercial District

Section 6-924 Uses requiring a use permit.

In the C district the following uses are permitted subject to the issuance of a land use permit:

(r) Firearm sales;

Article 4 Special Retail Business District

Section 6-965 Uses requiring a use permit.

In the SRB district, the following uses are permitted after the issuance of a land use permit:

(n) Firearm sales.

Article 5 General Commercial District 1

Section 6-9845 Uses requiring a use permit.

The following uses are permitted in the C-1 district on the issuance of a land use permit:

(u) Firearm sales;

Title 8 Public Welfare, Morals and Safety*
Chapter 8-6 Firearms
Article 2 Sale of Firearms and Munitions

Section 8-605 Police permit required.

(a) Except as provided in Penal Code 12070(b), as it may be amended from time to time, it is unlawful for a person to engage in the activity of "firearm sales" as that term is defined under Section 6-421 without a police permit as required by this chapter.

(b) The requirement for a police permit is in addition to the requirement under Section 6-533 for a land use permit for firearm sales activity. No person may engage in firearm sales activity without both a land use permit from the planning commission or city council on appeal and a police permit.

Section 8-606 Application.

(a) An applicant for a permit or renewal of a permit under this chapter shall file with the chief of police an application in writing, signed under penalty of perjury, on a form prescribed by the city. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including:

(1) The name, age and address of the applicant;

(2) The address of the proposed location for which the permit is required, together with the business name, if any;

(3) Proof of a possessory interest in the property at which the proposed business will be conducted, in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

(4) A floor plan of the proposed business which illustrates the applicant's compliance with security provisions of Section 8-609;

(5) Proof of the issuance of a land use permit at the proposed location required under Section 6-533;

(6) Proof of compliance with all federal and state licensing laws;

(7) Information relating to licenses or permits relating to other weapons sought by the applicant from other jurisdictions, including, but not limited to, date of application and whether each application resulted in issuance of a license;

(8) Information relating to every revocation of a license or permit relating to firearms, including, but not limited to, date and circumstances of the revocation;

(9) **Applicant's agreement to indemnify, defend and hold harmless the city, its officers, agents and employees from** and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees, arising in any manner out of the applicant's negligence or intentional or wilful misconduct;

(10) Certification of satisfaction of insurance requirements under Section 8-610;

(11) All convictions of the applicant for any of the offenses listed in Section 8-612(5).

(b) The application shall be accompanied by a nonrefundable fee for administering this chapter established by city council resolution.

Section 8-607 Investigation by chief of police.

The police chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The police chief may require an applicant, or any officer, agent or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the police chief, and any other additional information which the police chief considers necessary to complete the investigation.

Section 8-608 Conditions of approval.

In addition to other requirements and conditions of this chapter, a police permit is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the permit by the chief of police:

(1) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event which is authorized by federal and state law upon compliance with federal and state law;

(2) The police permit, or a certified copy of it, shall be displayed on the premises and at gun shows where it can be easily seen;

(3) The applicant shall not permit any person under 18 years of age to enter or remain within the premises without being accompanied by the parent or other adult legally responsible for the minor child where the firearms sales activity is the primary business performed at the site;

(4) The permittee shall not deliver a firearm to a purchaser earlier than is allowed by applicable state and federal law;

(5) The permittee shall not deliver a firearm to another purchaser, lessee or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container;

(6) The permittee shall not deliver a firearm to a purchaser, lessee or other transferee under the age of 18 years, or a firearm capable of being concealed upon the person to another person under the age of 21 years. Clear evidence of the identity and age of the purchaser shall be required before delivery of a firearm to a purchaser, lessee or other transferee. Evidence of identity may include, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an employee identification card containing the bearer's signature and photograph, or similar documentation which provides the permittee or seller reasonable assurance of the identity and age of the purchaser;

(7) The permittee shall not sell, lease or otherwise transfer a firearm to a person whom the permittee or seller has reason to believe is within any of the classes prohibited by Penal Code sections 12021 or 12021.1, or Welfare and Institutions Code sections 8100 or 8103;

(8) No firearm or imitation of one or placard advertising its sale or other transfer shall be displayed in any part of the premises where it can readily be seen from the outside;

(9) The permittee shall properly and promptly process firearms transactions as required by Penal Code section 12082;

(10) The permittee shall keep a register of sales as required by Penal Code sections 12073 and 12077;

(11) The permittee shall post conspicuously within the licensed premises all charges and fees required by Penal Code section 12071(b)(11) and the following warning in block letters not less than one inch in height:

"IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT, YOU MAY BE FINED OR SENT TO PRISON."

(12) No firearm capable of being concealed on the person shall be delivered to a purchaser or transferee, unless that person presents to the permittee or seller a current basic firearm safety certificate, unless otherwise exempted by state law;

(13) The permittee shall offer to provide to the purchaser or transferee of a firearm a copy of the pamphlet described in Penal Code section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm;

(14) The permittee shall report the loss or theft of a firearm that is merchandise of the permittee, a firearm that the permittee takes possession of pursuant to Penal Code section 12082, or a firearm kept at the permittee's place of business within 48 hours of discovery to the police department.

Section 8-610 Liability insurance.

(a) No police permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the city and executed by an insurance company approved by the city, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than $1,000,000 for each incident of damage to property or incident of injury or death to a person.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the city manager at least 30 days prior to the time the cancellation becomes effective.

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained, the permit is considered canceled without further notice.

Section 8-611 Issuance of police permit, Duration.

(a) The police department may grant a police permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including, but not limited to, the state Penal Code, city building code, fire code and zoning and planning codes.

(b) A police permit expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable renewal fee established by city council resolution. The renewal application and the renewal fee must be received by the police department no later than 45 days before the expiration of the current permit.

(c) A decision regarding issuance or renewal may be appealed in the manner provided for in Section 8-614.

Section 8-612 Grounds for permit denial.

The police chief shall deny the issuance or renewal of a police permit when one or more of the following conditions exist:

(1) The applicant is under 21 years of age;

(2) The applicant is not licensed as required by federal, state and local law;

(3) The applicant has had a firearms permit or license previously revoked or denied for good cause within the immediately preceding two years;

(4) The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for a police permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of two years;

(5) The applicant has been convicted of:

> **(A)** An offense which disqualifies the applicant from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code section 12021,
>
> **(B)** An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon,

(C) An offense involving the use of force or violence upon the person of another,

(D) An offense involving theft, fraud, dishonesty or deceit,

(E) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the state Health and Safety Code, as it now reads or may hereafter be amended to read;

(6) The applicant is within a class of persons defined in the Welfare and Institutions Code sections 8100 or 8103;

(7) The applicant is currently, or has been within the past two years, an unlawful user of a controlled substance as defined by the Health and Safety Code as that definition now reads or may hereafter be amended to read;

(8) The operation of the business as proposed would not comply with federal, state and local law.

Section 8-613 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a police permit also constitute grounds for revocation.

Section 8-614 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the chief of police has the right to a hearing before the chief of police before final denial or revocation.

(b) Within ten days of mailing written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the police chief. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the chief of police shall set a time and place for the hearing within 30 days.

(c) The decision of the chief of police shall be in writing within ten days of the hearing. An applicant may appeal the decision of the chief of police to the city council in the manner provided in Section 1-215.

Section 8-615 Nonassignability.

A police permit issued under this chapter is not assignable. An attempt to assign a police permit makes the permit void.

Section 8-616 Compliance by existing dealers.

A person engaging in firearm sales activity on the effective date of this chapter or any amendment to it shall, within 60 days after the effective date, comply with this chapter and any amendment to it, except for the requirement for a land use permit under Section 8-605(b).

Laguna Hills Code of Ordinances
Codified through Ordinance No. 2018-6, passed September 11, 2018

Title 4 Business Regulations
Chapter 4.04 Business Licenses Generally
Article II Licenses Required

Section 4-04.020 Licenses required.

It is unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the city without first having obtained a license therefor in accordance with Article IV of this chapter:

Q. Retail sale of concealable firearms;

Chapter 4.08 Specific License Requirements and Business Regulations
Article IX Retail Sale of Concealable Firearms

Section 4-08.330 Licensing of retail sellers of concealable weapons.

The Chief of Police Services is designated as the licensing authority for said city and is authorized to issue licenses therefor pursuant to Article 4 of Title 2 of Part 4 of the California Penal Code (commencing with Section 12070) as said article exists or may be amended from time to time for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Laguna Niguel Code of Ordinances

Codified through Ordinance No. 2017-188, enacted July 18, 2017. (Supp. No. 18)

Title 5. Business and Special Licenses; Business Regulations
Division 1 General Provisions
Article 2 Licenses Required

Section 5-1-29 Businesses requiring license.

It shall be unlawful for any person to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the city without first having obtained a license therefor in accordance with division 2 of this title: Division 3 – Specific Additional License Requirements and Business Regulations

(17) Retail sale of concealable firearms.

Article 16 Retail Sale of Concealable Firearms

Section 5-3-240 Licensing authority.

The chief of police is hereby designated as the licensing authority for the city and is authorized to issue licenses pursuant to Penal Code 12070 et seq., as such article exists or may be amended from time to time, for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Title 9 Planning and Zoning
Division 1 Planning
Article 2 Comprehensive Zoning Code
Subarticle 3 Residential Districts

Section 9-1-35.9 Garage sales.

(b) Standards. Garage sales shall be permitted as temporary accessory uses in residential districts subject to the following regulations:

> **(4)** It is unlawful for any person to exchange, barter, trade or sell any of the following at a garage sale: firearms, ammunition, explosives, animals and livestock, any item of personal property from which the serial number has been removed, or any other item prohibited by city, county, state, or federal law.

Laguna Woods Code of Ordinances

Codified through Ordinance No. 2017-188, enacted July 18, 2017. (Supp. No. 18)

Title 6 Business
Chapter 6.04 Business Licenses

Section 6.04.010 Licenses required.

It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the City without first having obtained a license therefor in accordance with this chapter:

(14) Retail sale of concealable firearms;

Chapter 6.20 Retail Sale of Concealable Firearms

Section 6.20.010 Licensing of retail sellers of concealable weapons.

The City Manager or designee is hereby designated as the licensing authority for the City and is authorized to issue licenses therefor pursuant to Penal Code pt. 4, title 2, ch. 1, art. 4 (Penal Code 12070 et seq.) for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Title 13 Zoning
Chapter 13.26 Special regulations

Section 13.26.120 Home occupations.

(c) Prohibited uses. The following uses are prohibited as home occupations:

> **(11)** Firearm repair, maintenance and sales;

Lake Elsinore Code of Ordinances
Codified through Ordinance No. 1395, passed October 9, 2018.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.64 Concealed Weapons

Section 5.64.030 License – Issuance – Fee.

The Sheriff shall issue the local licenses to sell concealed firearms described in Section 12071 of the Penal Code pursuant to the standards set forth in LEMC 5.64.040. Upon issuance of a license, it is valid for the remainder of the calendar year in which it is issued and may be renewed for a period of one year at a time thereafter. The initial fee for a license is $100.00 and the renewal fee is $50.00.

Section 5.64.040 Licensing standards.

The Sheriff shall not issue a license, and is required to revoke a license, unless all of the following are present:

A. The person involved is not one of the class of persons described in Sections 12021 and 12021.5 of the Penal Code.

B. The building involved in the business of selling concealed weapons contains such security features as the Sheriff deems necessary for such a business establishment.

C. The licensee is continuing his business in the manner provided for in Sections 12071 through 12079 of the Penal Code.

Section 5.64.050 Appeal.

Whenever the Sheriff refuses to issue a license or revokes a license, such decision is final unless the person involved requests a hearing before the City Council. Such request shall be in writing and directed and delivered to the City Clerk of the City within 10 days after the Sheriff refuses to issue or revokes a license, who shall then cause the matter to be on the agenda of the next regular meeting of the City Council. The City Council shall thereupon set a time and place for a public hearing regarding the sufficiency of the reasons of the Sheriff in refusing to issue the license or revoking the license in question. At the time and place set for hearing, the City Council shall hear all relevant evidence and issue its decision which is final. The hearing shall be held within 20 days after the request.

Section 5.64.060 Preparation of regulations.

The Sheriff shall from time to time prepare regulations designed for the purpose of effectuating the intent of this chapter and the intent of the provisions of the Penal Code described in LEMC 5.64.010. Such regulations shall be presented to the City Council for its approval, rejection or modification. Such regulations, as approved, shall be enforced by the Sheriff as to the regulations of the City Council regarding the carrying out of the provisions of this chapter.

Title 17 Zoning
Chapter 17.86 RUM Residential Mixed Use District

Section 17.86.020 Table of land uses and glossary/definitions.

P = Permitted use.
C = Use subject to a conditional use permit.
T = Temporary use permitted with a temporary use permit.
▉ = Prohibited use in the zone.

For properties within the Downtown Master Plan, Section 1.4, Detailed Land Use Matrix of the Downtown Code, supersedes this chapter. In the Downtown Master Plan, land uses are specific to the garden district, historic district, cultural district and waterfront district as defined by the Downtown Master Plan.

Table of Mixed Use Land Uses

Use	RMU	CMU	Additional Regulations
Gun and ammunition sales	▉	C	

"**Gun and ammunition sales**" means any premises or portions thereof used for the sale, vending, dealing, exchange or transfer of firearms and ammunition.

Chapter 17.134. CMU Commercial Mixed Use District

Section 17.134.020 Table of land uses and glossary/definitions.

P = Permitted use.
C = Use subject to a conditional use permit.
T = Temporary use permitted with a temporary use permit.
▉ = Prohibited use in the zone.

For properties within the Downtown Master Plan, Section 1.4, Detailed Land Use Matrix of the Downtown Code, supersedes this chapter. In the Downtown Master Plan, land uses are specific to the garden district, historic district, cultural district and waterfront district as defined by the Downtown Master Plan.

Table of Mixed Use Land Uses

Use	RMU	CMU	Additional Regulations
Gun and ammunition sales	■	C	

"**Gun and ammunition sales**" means any premises or portions thereof used for the sale, vending, dealing, exchange or transfer of firearms and ammunition.

Lake Forest Code of Ordinances

Codified through Ordinance No. 245, passed June 19, 2012. (Supp. No. 19)

Title 5 Business Regulations
Chapter 5.02 General

Section 5.02.020 Licenses required.

It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the City of Lake Forest without first having obtained a license therefor in accordance with Division 2 of this title:

k. Retail sale of concealable firearms;

Chapter 5.28 Specific Additional License Requirements and Business Regulations

Section 5.28.130 Retail sale of concealable firearms.

The Sheriff of Orange County is hereby designated as the licensing authority for the City and is authorized to issue licenses therefor pursuant to Article 4 of Title 2 of Part 4 of the California Penal Code (commencing with Section 12070) as said article exists or may be amended from time to time for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Lancaster Code of Ordinances

Codified through (Covering Ordinances through 1049) (Supp. No. 10-18)

Title 9 Public Peace, Morals and Welfare
Chapter 9.04 Firearms

Section 9.04.010 Furnishing weapons to minors.

Except as otherwise provided in this chapter, it is unlawful in the city for any person, firm or corporation to sell, give, lend or in any way furnish or cause or permit to be sold, given, lent or in any way furnished to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or any device designed or intended to discharge or capable of discharging any dangerous missile.

Section 9.04.020 Furnishing ammunition to minors.

Except as otherwise provided in Section 9.04.040, it is unlawful in the city for any person, firm or corporation to sell, give, loan or in any way furnish or cause or permit to be sold, given, lent or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.04.040 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit in the city the selling, giving, lending or furnishing to any person under the age of eighteen (18) years upon the written consent of a parent or guardian of said person any article mentioned in Sections 9.04.010 and 9.04.020 nor to prohibit any such person under the age of eighteen (18) years from having in his or her possession, care, custody or control any article mentioned in Section 9.04.030, in the event that such possession, care, custody or control of these articles is had with the consent of the parent or guardian of such person, and is under the direct supervision and control of such adult person.

Title 17 Zoning
Chapter 17.08 Residential Zones
Article IV Standards for Specific Land Uses

Section 17.08.200 Home Occupations.

C. Prohibited uses. The following uses shall not be allowed as a home occupation:

18. The manufacturing, sale, lease, or rental of firearms and/or ammunition;

Lassen County Code of Ordinances
Codified through Ordinance No. 2018-009 and the October 2018 code supplement.

Title 9 Public Peace, Safety and Morals
Chapter 9.12 Weapons

Section 9.12.010 Firearm restrictions.

It is unlawful for any person to use or have in possession any firearm in the following described territory in Lassen County, or to discharge any firearm into that territory.

The territory covered by this chapter is particularly described as follows:

All that area lying within Lassen County, within the following boundaries: Beginning at the old Haydenhill post office in the approximate center of Sec. 36, T. 37 N., R. 9 E.; thence following westerly along the old Juniper Road through Windmill Flat to the junction of the Summit Spring Road near Meyers Spring; thence south through Lost Valley along the Lost Valley-Dixie Valley Road to the junction of the Dixie Valley Grasshopper Road; thence east to the junction of the old Haydenhill-Slate Creek Road located approximately in Sec. 24, T. 35., N., R. 9 E.; thence north along the Haydenhill Slate Creek Road to the place of beginning.

Lathrop Code of Ordinances
Codified through Ordinance No. 18-397 and the August 2018 code supplement.

Title 17 Zoning
Chapter 17.44 C Commercial District

Section 17.44.040 CS: Commercial Service District.

B. Permitted Uses.

2. Service commercial establishments, including the following. (Note: Those uses marked with an asterisk (*) are permitted as conditional uses in CC districts, as indicated in Section 17.44.030:

Gunsmith *

Chapter 17.58 Lathrop Gateway Business Park Zoning Districts
Article 2 CO-LG: Commercial Office Zoning District

Section 17.58.023 Conditional uses—Commission approval required.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

7. Gunsmiths/gun shop;

Article 3 CS-LG: Service Commercial Zoning District

Section 17.58.033 Conditional uses—Commission approval required.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

9. Gunsmith/gun shop;

Chapter 17.59 South Lathrop Zoning Districts
Article 2 CO-LS: Commercial Office Zoning District

Section 17.59.023 Conditional uses—Commission approval required.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

2. Gunsmiths/gun shop;

Chapter 17.62 Central Lathrop Zoning Districts
Article 7 CO-CL: Commercial Office Zoning District

Section 17.62.074 Conditional uses: commission approval required.

The following uses may be permitted in accordance with the provisions of Chapter 17.112:

N. Gunsmiths.

Lawndale Code of Ordinances
Codified through Ordinance No. 1146-18 and the September 2018 code supplement.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.20 Permits

Section 5.20.020 Businesses requiring permit.

B. The following businesses, professions, trades and occupations shall require a permit:

9. Gun dealers;

Lemon Grove Code of Ordinances
Codified through Ordinance No. 448 and the May 2018 code supplement.

Title 9 Public Welfare and Elections
Chapter 9.44 Firearms

Section 9.44.030 Possession on premises where public business is conducted.

A. No firearm, whether or not loaded or operable, and no explosive or explosive device whether or not operable, shall be brought into or possessed within any premises owned or leased by the city in which public business is conducted without the written permission of the city manager.

B. The provisions of subsection A of this section shall not be applicable to city employees or court personnel who use, possess or have custody of firearms, explosives and explosive devices in the course of their official duties.

C. The provisions of subsection A of this section regarding firearms shall not be applicable to any person exempted by state law from compliance therewith.

Livermore Code of Ordinances
Codified through Ordinance No. 2077, passed October 22, 2018.

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.78 Prohibition of Commercial Sale of Saturday Night Specials

Section 9.78.013 Definitions.

Except as provided in LMC 9.78.014, the term “Saturday Night Special,” as used in this section shall mean any of the following:

A. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in the California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength.

B. A semi-automatic pistol which:

1. Is not originally equipped by the manufacturer with a locked-breech action; and

2. Is chambered for cartridges developing maximum permissible breech pressures above 24,100 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

3. For purpose of this subsection (B)(2) of this section, “semi-automatic pistol” shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber; (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. “Semi-automatic pistol” shall not include any assault weapons designated in California Penal Code Section 12276.

C. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

1. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

2. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

3. Is not originally equipped by the manufacturer with a nondetachable trigger guard.

4. If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

5. For purposes of this subsection C, “action mechanism” shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded commonly known as the cycle of operation.

Section 9.78.014 Exclusions.

The terms “Saturday Night Special” does not include any of the following:

A. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

B. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

C. Children’s pop guns or toys; or

D. An “unconventional pistol” as defined in California Penal Code Section 12020(c) (12); or

E. Any pistol which has been modified to either render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday Night Special.

Section 9.78.015 Roster of Saturday Night Specials.

As soon as practicable, but no earlier than July 1, 1997, the Chief of Police or his/her designee shall compile, publish, and thereafter maintain a roster of Saturday Night Specials. The roster shall list those firearms, by manufacturer and model number, which the Chief of Police or his/her designee determines fit the definition of Saturday Night Special set forth in LMC 9.78.013.

Section 9.78.016 Notification.

Upon completion of a list of firearms to be placed on the roster for the first time, the Police Chief or his/her designee shall send written notification to: (1) the manufacturer of every firearm on said list; and (2) every dealer within the City who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the State of California and LMC 9.76.010. Such notification shall do the following:

A. Identify the model number of the firearm which has been classified as a Saturday Night Special within the meaning of LMC 9.78.013; and

B. Advise the recipient that the recipient may, within 30 days of receipt, apply for reconsideration of the classification of the firearm as a Saturday Night Special; and

C. Advise the recipient that the burden of proving a firearm does not constitute a Saturday Night Special within the meaning of LMC 9.78.013 shall be on the recipient. (Ord. 2065 § 1(A), 2018; Ord. 1502 § 1, 1997)

Section 9.78.017 Reconsideration by the Chief of Police.

A. The Chief of Police, or his/her designee, shall, prior to the effective date of the ordinance codified in this chapter, establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police or his/her designee to classify the firearm in question as a Saturday Night Special as defined in LMC 9.78.013.

B. Upon timely filing of one or more complete applications for reconsideration, the Chief of Police or his/her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday Night Special within the meaning of LMC 9.78.013.

Section 9.78.018 Appeal of classification.

If the Chief of Police, or his or her designee, determines that the firearm under reconsideration has been properly classified as a Saturday Night Special, then the applicant(s) shall have the right to appeal such decision in accordance with the provisions of Chapter 1.22 LMC.

Section 9.78.019 Publication of the roster.

The Chief of Police or his/her designee shall place on the roster those firearms which have been determined to constitute a Saturday Night Special within the meaning of LMC 9.78.013. The Chief of Police or his/her designee shall cause the roster to be published in the following manner:

A. Notification of the roster’s completion shall be published at least once in the official newspaper as designated by the City and circulated in the City within 15 days after its completion; and

B. A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the city clerk of the City of Livermore; and

C. A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the City who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California and LMC 9.76.010.

Section 9.78.020 Effective date of roster.

The roster shall become effective on the fifteenth day after its publication.

Section 9.78.021 Additions to the roster.

Additions to the roster shall be made in accordance with the following:

A. Semi-Annual Determination. On a semi-annual basis, the Chief of Police or his/her designee shall determine the need to place firearms on the roster. Upon identifying one or more firearms as a Saturday Night Special, the Chief of Police or his/her designee shall prepare a draft list of the additions to the roster.

B. Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the Chief of Police or his/her designee shall endeavor to send written notification in accordance with the provisions of LMC 9.78.016.

C. Reconsideration by the Chief of Police. Any person who the Chief of Police or his/her designee notifies pursuant to subsection B of this section may apply for reconsideration of the classification of that firearm as a Saturday Night Special in accordance with the provisions of LMC 9.78.017.

D. Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday Night Special after reconsideration, the applicant may file an appeal to the City Manager and the City Manager or his/her designee shall hold a hearing in accordance with the provisions of LMC 9.78.018.

E. Additions of Firearms to Roster. After all appeals have been exhausted, the Chief of Police or his/her designee shall place on the roster those additional firearms which have been determined to constitute a Saturday Night Special within the meaning of LMC 9.78.013. The Chief of Police or his/her designee shall cause the roster, as amended to include these additional firearms, to be published in accordance with LMC 9.78.019.

F. Effective Date of Additions to the Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication as set forth in LMC 9.78.020.

Section 9.78.022 Sale prohibited.

After August 1, 1997, no wholesale or retail firearms dealer within the City of Livermore shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday Night Specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the state of California.

Section 9.78.023 Exemptions.

Nothing in this chapter relative to the sale of Saturday Night Specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States federal government for use in the performance of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the above mentioned persons in the performance of their official duties.

Section 9.78.024 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this chapter shall be punishable by a fine of not more than $1,000 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Chapter 9.80 Trigger Lock Requirement

Section 9.80.011 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

A. "Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

B. "Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

C. "Person" means natural person, association, partnership, firm, or corporation.

D. "Trigger lock" means a mechanical locking device which blocks or impairs the action of the trigger, rendering the firearm inoperable until removed.

9.80.012 Requirement to sell or provide trigger locks or similar devices.

Firearms dealers doing business within the City of Livermore shall not sell, lease, or otherwise transfer any firearm without also selling or providing a nonreturnable trigger lock, or similar safety device, to prevent the unintentional discharge of the firearm.

9.80.013 Exemption.

Persons providing firearms for temporary use only within a designated firing range, shall be exempt from the provisions of this chapter, so long as such firearms are not permitted to be removed from the firing range premises and the period of use does not exceed eight hours.

9.80.014 Posted notice.

Firearms dealers operating within the City of Livermore shall conspicuously post the following notice at their place of business in the area in which the firearms are sold, leased or transferred. The letters on the notice must be legible, at least one inch in height, and shall read:

A TRIGGER LOCK OR OTHER SAFETY DEVICE MUST BE SOLD OR PROVIDED WITH EACH FIREARM. THESE DEVICES PREVENT THE UNINTENTIONAL DISCHARGE AND USE OF YOUR FIREARM.
LIVERMORE MUNICIPAL CODE TITLE 9, ARTICLE VIII, CHAPTER 9.80

9.80.015 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this chapter shall be punishable by a fine of not more than $1,000 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Title 15 Buildings and Construction
Chapter 15.18 Building Security

§ 15.18.130 Special security measures.

B. Each establishment listed below, having specific-type inventories, shall be protected by supervised service, silent or local alarm (see Chapter 5.12 LMC, Alarm Systems):

8. Guns and ammunition;

Loma Linda Code of Ordinances
Codified through Ordinance No. 744 and the February 2018 code supplement.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.28 Concealable Weapon Retailers

Section 5.28.020 Retail licenses.

A. In addition to other licenses and regulations provided for by this code, a license is required to sell at retail within the city pistols, revolvers and other firearms or weapons capable of being concealed upon the person. This license shall be in addition to any business license required by the city.

B. The city manager shall be the licensing authority for the city, responsible for accepting applications and granting licenses under the provisions of California Penal Code, Section 12071. The city manager shall collect an annual license fee of fifty dollars for each license issued pursuant to Penal Code, Section 12071. License fees collected under this section shall be deposited in the city general fund.

Lomita Code of Ordinances
Codified through Ordinance No. 797, enacted April 3, 2018. (Supp. No. 10)

Title III Public Safety
Chapter 3 Weapons

Section 3-3.01 Minors, Furnishing weapons to prohibited.

Except as otherwise provided in section 3-3.04 hereof, it shall be unlawful in the City of Lomita for any person, firm or corporation, to sell, give, lend or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished,

to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or device designed, or intended, to discharge, or capable of discharging, any dangerous missile.

Section 3-3.02 Same, Furnishing ammunition to prohibited.

Except as otherwise provided in section 3-3.04 hereof, it shall be unlawful in the City of Lomita for any person, firm or corporation, to sell, give, lend, or in any way furnish, or to cause or permit to be sold, given, lent, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

Section 3-3.03 Same, Discharge or possession of weapon by prohibited.

Except as otherwise provided in section 3-3.04 hereof, it shall be unlawful in said City of Lomita, for any person under the age of eighteen (18) years to fire, discharge, shoot or operate or to assist or participate in the firing, discharging, shooting, or operating, or to have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot, or device designed, or intended, to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol, or firearm.

Section 3-3.04 Same, Selling, giving, lending, possessing with consent or under supervision of parent or guardian.

Nothing in this chapter shall be deemed or construed to prohibit in said City of Lomita the selling, giving, lending or furnishing to any person under the age of eighteen (18) years, upon the written consent of a parent or guardian of said person, any article mentioned in sections 3-3.01 and 3-3.02 hereof; nor to prohibit any such person under the age of eighteen (18) years from having in his or her possession, care, custody or control any article mentioned in section 3-3.03 hereof; in the event that such possession, care, custody or control of such articles is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Title VI Businesses, Professions and Trades
Chapter 4 Regulations Pertaining to Businesses Licenses and Trades
Article 1 In General

Section 6-4.20 Gun dealers.

(A) Defined. "**Gun dealer**" is any person, firm or corporation that is engaged in the business of selling or otherwise transferring, or, who in the course of said business advertises for sale, or offers or exposes for sale, or transfers, any pistol, revolver or other firearm capable of being concealed upon the person.

(B) License required. Every gun dealer shall procure a license pursuant to the provisions of this chapter 4.

(C) Regulations. If a license is granted under this chapter, it shall be subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

(1) The business shall be carried on only in a building designated in the license.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(3) No pistol or revolver shall be delivered:

(a) Within fifteen (15) days of the application for purchase, and when delivered shall be unloaded and securely wrapped; nor

(b) Unless the purchaser either is personally know to the seller or shall present clear evidence of his identity.

(4) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can be readily seen from the outside.

Lompoc Code of Ordinances
Codified through Ordinance No. 1653(18) and the December 2018 code supplement.

Title 5 Business Licenses and Regulations
Chapter 5.72 Concealable firearms Retail Sales Licenses

Section 5.72.010 Concealable firearms retail sales licenses.

A. The ordinance codified in this Chapter is adopted to comply with the requirements of Section 12071 and related sections of the California Penal Code.

B. Applications to sell at retail, within the City, pistols, revolvers and other firearms capable of being concealed upon the person, shall be made to the City Clerk. Each application shall include a ten-dollar fee. The fee is not refundable in the event the license is not issued. The City Clerk shall issue the license, after receiving the approval of the Chief of Police.

C.

1. The City Clerk shall forward the application to the Chief of Police. The Chief of Police shall do the following:

a. Determine whether the applicant has possession of necessary valid State and Federal firearms licenses or permits;

b. Determine whether or not the applicant comes within the provisions of Penal Code Section 12021, has a history of violent crimes other than felonies, or has a history of mental disorder.

2. If the Chief of Police determines that the applicant has requisite necessary licenses and does not have a history of violent crimes, a history of mental disorder, and is not a felon or narcotic addict within a meaning of Penal Code Section 12021, then he or she shall approve the issuance of the license, and forward his or her approval to the City Clerk; otherwise he or she shall disapprove the license and forward the disapproval to the City Clerk.

D. Upon receiving approval of the Chief of Police, the City Clerk shall issue the license. The license shall contain the conditions in Section 12071 of the Penal Code.

E. The license shall be effective for one year from its date of issuance and shall be renewable as provided in this Section for original issuance.

F. Any applicant or licensee may appeal a refusal to issue a license pursuant to Section 5.08.190.

Long Beach Code of Ordinances

Codified through Ordinance No. ORD-18-0027, enacted October 9, 2018. (Supp. NO. 22, Update 2)

Title 5 Regulation of Businesses, Trades and Professions
Chapter 5.36 Firearms Dealers

Section 5.36.010 Permit—Required.

No person shall engage in, carry on or conduct the business of a firearms dealer without first having obtained a permit in accordance with this Chapter and complying with any and all requirements and regulations set forth in this Chapter.

Section 5.36.020 Permit application.

Each person, before obtaining a permit to carry on the business of selling firearms, shall make a written application on forms furnished by the Chief of Police, which shall be signed by the applicant. Every applicant must provide all documents required pursuant to § 12071 of the California Penal Code.

Chapter 9.52 Firearms

Section 9.52.010 Sale of ammunition prohibited.

No person as principal, agent or otherwise, shall sell, exchange, give or loan any BB shot, pellet, or other missile designed or intended for use in any spring gun, air gun, air pistol or other pistol or gun, or any cartridge, shell or other device containing any explosive and designed or intended for use in any gun, revolver, pistol, or firearm of any description to any person under the age of 18 years.

Section 9.52.020 Possession prohibited.

No person, as principal, agent or otherwise, under the age of 18 years, shall have in his or her possession, care, custody or control, any gun, revolver, pistol, spring gun, air gun or firearm of any description, or any cartridge, shell or other device containing any explosive, and designed or intended for use in any gun, revolver, pistol or firearm of any description, or any explosive ammunition of any description whatsoever.

Title 21 Zoning
Chapter 21.51 Accessory Uses
Division II Use Conditions

Section 21.51.235 Home occupations.

C. Prohibited Home Occupation Uses. The following uses shall be prohibited as home occupations:

11. Gun sales (including internet) and repair;

Los Altos Code of Ordinances
Codified through Ordinance No. 2018-448, passed July 10, 2018. (Supp. No. 32)

Title 7 Public Peace, Morals and Welfare
Chapter 7.28 Weapons

Section 7.28.020 Possession of certain propelling devices.

It shall be unlawful for any person under the age of eighteen (18) years to have in his possession on any street or in a public place within the city any instrument or device of any nature which may throw, discharge, propel, or hurl bullets or missiles of any kind to any distance from such instrument or device by means of elastic force, air pressure, vacuum, or any explosive force.

Section 7.28.030 Notices of sales of firearms.

Any person having for sale any instrument or device specified in Section 7.28.010 or 7.28.020 of this chapter shall have posted in a conspicuous place in the place of sale a copy of this chapter and shall deliver a copy of this chapter to any purchaser of such instrument or device.

Section 7.28.040 Confiscation.

Any instrument, device, or article used or possessed in violation of the provisions of this chapter is hereby declared to be a public nuisance and may be confiscated and possessed by a police officer of the city and delivered to the custody of the chief of police. The chief of police may return, upon such conditions as he deems desirable for the public welfare, any such instrument, device, or article to the person from whose possession it was taken, or the chief of police may retain the same and destroy it after sixty (60) days.

Los Angeles County Code of Ordinances
Current through Ordinance 2018-0036F.

Title 7 Business Licenses
Division 2 Specific Businesses
Chapter 7.46 Gun Dealers

Section 7.46.010 Gun dealer defined.

"Gun dealer" means any person, firm or corporation who sells or otherwise transfers to the public any pistol, revolver, rifle, shotgun, or other firearm, including those persons required by § 12070(a) of the California Penal Code to obtain a license under California Penal Code § 12071. "Gun dealer" also includes any person, firm or corporation who purchases, takes in trade or accepts on consignment from the public any firearm of any type, including, but not limited to pistols, revolvers, rifles and shotguns.

Section 7.46.020 License, Required.

Every gun dealer shall first procure a license and pay an annual license fee in the amount set forth in § 7.14.010 of this title, under the appropriate heading.

Section 7.46.030 License, Granted subject to specific conditions.

If a license is granted under this chapter, it shall be subject to the conditions set forth in Penal Code § 12071, for breach of any of which the license shall be subject to forfeiture.

Section 7.46.040 Records and reporting requirement.

In addition to properly maintaining all records and documents required by state and federal laws, a gun dealer, upon purchasing, taking in trade or accepting on consignment from the public any firearm of any type, shall comply with buy-form requirements as enumerated in Part 7 of Chapter 7.76 of this title, beginning with § 7.76.310. A gun dealer shall also be required to report every sale, lease, or other transfer of a firearm to the sheriff on a form prescribed by the sheriff.

Section 7.46.050 Inspection.

Upon the request of any designated sheriff representative or any peace officer, a gun dealer shall **(1)** furnish all records pertaining to the gun dealer's transactions, including, but not limited to, all records required to be maintained by law, and **(2)** shall permit an inspection of those portions of the licensed premises where the firearms and firearm accessories are located.

Section 7.46.060 Conditions for granting license.

No license or renewal license shall be issued under this chapter unless, in addition to the requirements set forth in § 7.46.030 and § 7.46.040 above, the gun dealer satisfies each of the following conditions:

A. The gun dealer, and all officers, employees, and agents of said gun dealer, are at least 21 years of age;

B. Neither the gun dealer, nor any officer, employee, or agent of said gun dealer, has had a similar type license previously revoked or denied within the immediately preceding 2 years;

C. Neither the gun dealer, nor any officer, employee, or agent of said gun dealer, has been convicted of:

1. Any offense disqualifying said individual from owning or possessing a firearm under applicable federal, state, or local laws,

2. Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty, or deceit,

5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code, as said definition now reads or may hereafter be amended to read;

D. The gun dealer has a fixed place of business where all licensed activities will be conducted as required by § 7.04.060 of this code. The storing of all firearms and munitions shall occur at said fixed place of business. Under no circumstance may the address of the fixed place of business be either a United States Post Office box or a private commercial mailbox. The gun dealer shall provide evidence as owner, lessee or other legal occupant of said fixed place of business. The license shall specify the Post Office address of said fixed place of business;

E. The gun dealer's fixed place of business shall not be located in any area or district that is zoned for residential use;

F. The gun dealer has agreed to indemnify, defend and hold harmless the county of Los Angeles, its officers, agents and employees, from claims arising from the negligent or intentional acts of said gun dealer;

G. In connection with every firearm sold, leased, or otherwise transferred by a gun dealer, said gun dealer must also sell or otherwise provide a trigger lock or similar device reviewed and approved by the sheriff that is designed to prevent the unintentional discharge of the firearm;

H. The gun dealer has obtained a policy of insurance as provided in § 7.46.070 below; and

I. The gun dealer has complied with the security requirements as provided in § 7.46.080 below.

Section 7.46.070 Liability insurance.

A. No license or renewal license shall be issued under this chapter unless the gun dealer carries and maintains in full force and effect a policy of insurance, as described in this subsection, in a form approved by the county of Los Angeles and executed by an insurance company admitted to do business in the state of California. This policy of insurance shall insure the gun dealer against liability for damage to property and for injury to or death of any person as a result of the sale, lease, or transfer, or the offering for sale, lease, or transfer, of a firearm. The minimum liability limits shall not be less than $1,000,000 for each incident of damage to property or incident of injury or death to a person. The policy shall name the county of Los Angeles as an additional insured.

B. The policy of insurance shall contain an endorsement providing that said policy shall not be canceled until notice in writing has been given to the office of the treasurer and tax collector at least 30 days prior to the time the cancellation becomes effective.

C. If at any time the gun dealer's policy of insurance expires, said gun dealer's license under this chapter will automatically be suspended pursuant to § 7.08.240 and § 7.08.250 of this code.

Section 7.46.080 Security requirements.

A. No license or renewal license shall be issued under this chapter unless the gun dealer adheres to security measures as required by the sheriff. These security measures shall include, but not be limited to, the following:

1. The provision of adequate lighting, secure locks, windows, and doors, and fire and theft alarms, as each such item is specified and approved by both the sheriff and the fire department; and

2. The storing of all firearms and munitions on the premises out of reach of customers in secure, locked facilities, so that access to firearms and munitions shall be controlled by the gun dealer or employees of the gun dealer to the exclusion of all others.

B. Upon written request by the gun dealer, the sheriff may approve alternative security measures which he/she determines will provide equivalent or superior security to the premises as the measures required under subsection A above.

Section 7.46.090 Compliance by existing dealers.

Any gun dealer licensed to engage in the sale of firearms prior to the effective date of the amendments to this chapter shall within 90 days after said effective date comply with the provisions of these amendments.

Section 7.46.095 Officers, employees and agents of gun dealers defined.

Any reference in this chapter to an officer, employee or agent of a gun dealer shall apply only to those persons who directly participate in firearm sale transactions.

Section 7.46.100 Penalty.

Any gun dealer violating the provisions of this chapter is guilty of a misdemeanor, punishable by a fine not to exceed $1,000, or imprisonment for a term not to exceed 6 months, or both. This penalty is in addition to all other penalties provided by law, and to the immediate revocation of the gun dealer's license granted under this chapter.

Title 13 Public Peace, Morals and Welfare
Division 8 Weapons
Chapter 13.67 Prohibition on the Sale of Firearms and Ammunition on County Property

Section 13.67.030 Prohibition.

The sale of firearms and/or ammunition on county property is prohibited.

Section 13.67.040 Definitions.

As used in this chapter, the words hereinafter defined are used as so defined unless it is apparent from the context that a different meaning is intended.

A. County Property. "County property" includes real property owned, leased, subleased, or otherwise assigned by the county, or real property subject to the use and control of the county. It includes real property of the county in the possession of a public or private entity under contract with the county. By way of example, it includes all public buildings and the surrounding grounds owned or leased by the county in the unincorporated and incorporated portions of the county, such as the Los Angeles County Fairgrounds in the city of Pomona.

B. Firearm. "Firearm" includes all devices described in California Penal Code § 12001, including, but not limited to, any gun, pistol, revolver, rifle or any device, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion. "Firearm" does not include any instrument as referred to in Government Code § 53071.5.

C. Ammunition. "Ammunition" is any ammunition as defined in California Penal Code § 12316(b)(2).

D. Peace Officer. "Peace officer" is any person who is a peace officer as defined in Title 3, Part 2, Chapter 4.5 of the California Penal Code (§§ 830, et seq.).

E. Sale. A "sale" is any transaction, with or without the exchange of consideration, which transfers ownership, title, possession, or control of any firearm, or gives, loans, leases, or delivers a firearm. A "sale" includes the act of placing an order for any of the aforementioned transfers. The act of displaying a firearm shall not constitute a sale for purposes of this chapter.

Section 13.67.050 Exceptions.

Section 13.67.030 shall not apply to the sale of any firearm by a peace officer when on duty and the sale of such firearm is within the scope of his/her duties. In addition, said section shall not apply to: (A) either the sale of ammunition, or the rental of any firearm, for on-site recreational use, at the Whittier Narrows Trap and Skeet Range within the Whittier Narrows Regional Park; (B) the sale of shotguns, as defined in California Penal Code § 12020(c)(21), but no other firearms, at the aforementioned Whittier Narrows Trap and Skeet Range during the remaining term of that certain Lease Agreement No. 59348, originally entered into between the County of Los Angeles and Pachmayr, Limited; or (C) to the public administrator in the distribution of a private estate or to the sale of firearms by its auctioneer to fulfill its obligations under state law.

Section 13.67.060 Penalty.

Every violation of this chapter shall constitute a misdemeanor.

Title 22 Planning and Zoning
Division 1 Planning and Zoning
Chapter 22.20 Residential Zones
Part 1 General Regulations

Section 22.20.020 Home-based occupations, Regulations.

B. The following uses are prohibited:

Firearms manufacturing or sales

Gunsmith.

Chapter 22.44 Supplemental Districts
Part 10 Santa Monica Mountains Local Implementation Program
Community Wide Standards

Section 22.44.1490 Home-based Occupations.

B. The following uses are prohibited:

Firearms manufacturing or sales

Los Angeles Code of Ordinances
Current through Ordinance 2018-0043Z, November 30, 2018.

Chapter V Public Safety & Protection
Article 5 Firearms & Dangerous Weapons

Section 55.09. Ammunition Sales.

(a) The term "**firearm ammunition**", as used in this section, shall include any ammunition for use in pistols, revolvers, rifles, shot guns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion.

(b) Except as specified in Subsection (c) and (d), no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during the period of 7 days prior to the first day of January of each year or on the first day of January of each year, or during the 7 days prior to the Fourth of July of each year or on the Fourth of July of each year.

(c) Nothing in this section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer, or of ammunition requested by § 12324 of the Penal Code of the State of California.

(d) Nothing in this section shall prohibit sale to or acquisition by any person described in § 12302 or 12322 of the Penal Code of the State of California.

(e) The provisions of this section shall not apply to the sale of any firearm ammunition when such sale is prohibited by §§ 12303, 12303.6, 12304 or 12321 of the Penal Code of the State of California, or is otherwise prohibited by Chapter 2.5, Title 2, Part 4, of the Penal Code of the State of California.

Section 55.11. Requirements for Ammunition Sales.

(a) "**Firearm Ammunition**" means any self-contained unit consisting of the case, primer, propellant charge, and projectile for use in pistols, revolvers, rifles, shot guns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion. "**Firearm Ammunition**" shall not include blank ammunition used solely in the course of motion picture, television, video, or theatrical productions.

(b) The term "**vendor**", as used in this section, shall mean any person who is engaged in the retail sale of firearm ammunition and retail firearms dealers.

(c) No vendor shall sell or otherwise transfer ownership of any firearm ammunition to any person other than those listed in subsection (g) without at the time of purchase recording the following information on a form to be prescribed by the Board of Police Commissioners:

1. the date of the transaction,

2. the name, address and date of birth of the transferee,

3. the transferee's drivers license or other identification number and the state in which it was issued,

4. the brand, type and amount of ammunition transferred,

5. the transferee's signature, and

6. the name of the sales person who processed the transaction.

The vendor shall also at the time of purchase or transfer obtain the right thumb print of the purchaser or transferee on the above-referenced form.

(d) No vendor shall sell or otherwise transfer ownership of any firearm ammunition without complying with all requirements of subsection (c) in a face-to-face transaction.

(e) The records required by this section shall be maintained on the premises of the vendor for a period of not less than 2 years from the date of the recorded transfer. Said records shall be subject to inspection at any time during normal business hours in accordance with the provisions of § 103.14 of this Code. In addition, said records shall, within 5 calendar days of a firearm ammunition transfer, be electronically transmitted to the Los Angeles Police Department in a format and manner approved by the Chief of Police. (Amended by Ord. No. 183,328, Eff. 1/24/15.)

(f) No person shall knowingly make a false entry in, or fail to make a required entry in, or fail to obtain the required thumb print, or fail to maintain in the required manner records prepared in accordance herewith. No person shall refuse to permit a police department employee to examine any record prepared in accordance with this section during any inspection conducted pursuant to this section, or refuse to permit the use of any record or information therefrom by the police department.

(g) The requirements of subsection (c) shall not apply when the purchaser is any of the following:

1. any person described in § 12302 or 12322 of the Penal Code of the State of California.

2. any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer.

3. any person who has been issued a permit to carry a concealed weapon under the authority of § 12050 of the Penal Code of the State of California

4. any security guard licensed under the authority of § 12033 of the Penal Code of the State of California.

5. any firearms dealer who has been issued a Federal Firearms License, a Certificate of Eligibility by the State of California and a Seller of Firearms Police Permit by the City of Los Angeles.

6. any firearm ammunition vendor who has been issued a Seller of Ammunition Police Permit by the City of Los Angeles.

(h) Violation of this section shall constitute a misdemeanor.

Section 55.12 Duty to Report Theft or Loss of Firearms; Exemptions.

A. Any person who owns or possesses a firearm (as defined in Penal Code § 12001(b) or as amended) shall report the theft or loss of the firearm to the Los Angeles Police Department within 48 hours of becoming aware of the theft or loss, whenever: **(1)** the person resides in the City of Los Angeles; or **(2)** the theft or loss of the firearm occurs in the City of Los Angeles.

B. Any person who has experienced the theft or loss of a firearm within the 5 years prior to the effective date of this ordinance without the firearm having been recovered during that period, and who otherwise meets the reporting requirements in Section A. above, is required to report the loss or theft of the firearm to the Los Angeles Police Department within 60 days of the effective date of this ordinance.

C. Any person who fails to report the theft or loss of a firearm as required in Subsections A. or B., when the person knew or should have known of the theft or loss, shall be guilty of a misdemeanor.

D. Persons licensed to sell or manufacture firearms pursuant to Penal Code §§ 12071 or 12086 are exempt from this section, if the firearm lost or stolen was business merchandise, was lost or stolen from their firearm-related business, or was in their possession pursuant to Penal Code § 12082.

E. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions, which can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 55.12.1. Disposal of Firearms and Ammunition.

(a) Definitions.

1. "**Firearm**," as used in this section, means any pistol, rifle, shotgun or other device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or any other form of combustion, or any device that is capable of being altered so as to expel a projectile in that manner. The term firearm includes the frame of such weapon.

2. "**Ammunition**," as used in this section, means any projectile designed to be expelled through the barrel of a firearm by the force of any explosion or other form of combustion, including, but not limited to, cartridge cases, primers, bullets, or propellant powder.

(b) Disposal of a firearm and/or ammunition in the City of Los Angeles shall only be accomplished in either of the following two ways:

1. By selling, giving away or otherwise transferring the firearm and/or ammunition in accordance with all applicable provisions of the California Penal Code, Welfare and Institutions Code, and this Code; or

2. By surrendering the firearm and/or ammunition to a California law enforcement agency for the purpose of destruction.

(c) Any person in the City of Los Angeles who disposes of a firearm and/or ammunition in any manner other than as required by this section, including, but not limited to, by depositing those item(s) in a public trash receptacle or leaving in any public place, is guilty of a misdemeanor.

Section 55.14. Sale or purchase of more than one handgun within a 30 day period prohibited.

(a) The term "**dealer**" shall mean a retail firearms dealer licensed by the City of Los Angeles.

(b) No person shall make application to a dealer, as provided in § 12072 of the California Penal Code, to purchase a pistol, revolver or other firearm capable of being concealed upon the person, herein referred to as "**handgun**", within 30 days of making a prior application for the purchase of a handgun within the State of California. In computing the 30 day period, the date the application is made shall be counted as the first day.

(c) No dealer shall transfer the title of any handgun to any person whom the dealer knows has made application to purchase more than 1 handgun within the State of California within a 30 day period prior thereto, nor shall any dealer process a handgun transaction between unlicensed parties pursuant to California Penal Code § 12072 if the dealer knows that the one receiving the handgun has made application to purchase more than 1 handgun within the State of California within a 30 day period prior thereto.

(d) No dealer shall transfer the title of any handgun to any person or process a handgun transaction between unlicensed parties pursuant to California Penal Code § 12072 if the dealer prior to transfer has received notice from the California Department of Justice, herein referred to as the "DOJ," that DOJ has received an application for that person to purchase a handgun within the State of California within a 30 day period prior thereto. For the purposes of this subsection, the date of application of purchase shall be the date the DOJ receives the Dealer Record of Sale or receives the transmission of required information by any medium of communication authorized under state law.

(e) For the purposes of this section, the redemption of a handgun pledged to a pawnbroker shall not be deemed the sale, purchase or transfer of title of that handgun. However, a dealer may not rely on this exemption unless the purchaser provides proof that the transaction was the redemption of a handgun pawned to a pawnbroker by the purchaser.

(f) Each dealer shall maintain records of each sale of a handgun to include the name of the purchaser, type of handgun, date of sale, and any other information required by the Board of Police Commissioners. Such records shall be maintained on the premises of the dealer for a period of not less than 2 years and shall be subject to inspection at any time during normal business hours.

(g) Each dealer shall post a sign in a conspicuous place with letters at least 1 inch high stating the obligations and restrictions of purchasers and dealers under this ordinance, pursuant to direction by the Board of Police Commissioners.

(h) The dealer shall require the purchaser, at the time of application for purchase, to indicate, on a form prescribed by the Board of Police Commissioners, whether he or she has or has not made an application for the purchase of a handgun within the last 30 days, and which if any of the exemptions set forth in Subsection (i) is applicable to the purchaser. If any of the exemptions is checked, the restrictions of this section shall not apply, provided all necessary information is supplied to the dealer. The form shall be signed by the purchaser under penalty of perjury. Such form shall be maintained on the premises of the dealer for a period of not less than 2 years from the date of signing and shall be subject to inspection at any time during normal business hours.

(i) The provisions of this section shall not apply to the following:

1. Any person who is licensed to sell firearms pursuant to Article 4, commencing with § 12070, of the Penal Code of the State of California.

2. Any law enforcement agency.

3. Any agency duly authorized to perform law enforcement duties.

4. Any state or local correctional facility.

5. Any private security company licensed to do business in the State of California.

6. Any person who is properly identified as a full-time paid peace officer, as defined in § 830.1, 830.2, 830.4, or 830.5 of the Penal Code of the State of California, and who is authorized to, and does, carry a firearm during the course and scope of his or her employment as a peace officer.

7. Any antique firearm, as defined in Paragraph (16) of Subsection (a) of § 921 of Title 18 of the United States Code.

8. Any person or entity who purchases firearms in a collector's series or a bulk purchase from an estate sale.

9. Any motion picture, television, or video production company, or entertainment or theatrical company whose production involves the use of a handgun, and which secures such handgun from unauthorized use.

10. Any person who is exempt from the waiting period in Subdivision (c) of § 12072 of the Penal Code of the State of California.

11. Any person who is exempt from the provisions of Subdivision (d) of § 12072 of the Penal Code of the State of California.

12. Any person or entity conducting a transaction through a law enforcement agency pursuant to § 12084 of the Penal Code of the State of California.

13. Any person or entity conducting a transaction described in Subdivision (k) of § 12078 of the Penal Code of the State of California.

14. Any person who is licensed as a collector pursuant to Chapter 44, (commencing with § 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, and who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to § 12071 of the Penal Code of the State of California.

15. Any person or entity acquiring a handgun by bequest or intestate succession.

16. Any person or entity replacing a single handgun where the handgun was lost or stolen, and the person reported that firearm lost or stolen to the Los Angeles Police Department or appropriate law enforcement agency and presents the dealer with evidence of such reporting.

17. Any seller's exchange or replacement of a handgun for a handgun purchased from that seller within the 30 day period immediately preceding the date of exchange or replacement.

(j) Violation of Subsection (b) shall be punishable as an infraction subject to a fine of $50 for the first violation of that subsection, as an infraction subject to a fine of $100 for the second violation of the subsection and as a misdemeanor for the third or subsequent violations of that subsection. Each handgun applied for shall be deemed a separate violation.

(k) If any provision of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction within the State of California, such decision shall not affect the validity of the remaining provisions and the City declares that it would have adopted the remaining provisions irrespective of the fact that a provision or provisions are declared invalid or unconstitutional.

Section 55.15. Fingerprinting of Firearms Purchasers.

(a) As used in this section, the term "**firearm**" shall mean any pistol, revolver, shotgun, rifle, or other firearm, as that term is defined in § 103.314 of this Code.

(b) As used in this section, the term "**dealer**" shall mean any person who is engaged in the retail sale of firearms and any retail firearms dealer, as that term is defined in § 103.314 of this Code.

(c) No dealer shall sell or otherwise transfer ownership of any firearm without obtaining the right thumb print of the purchaser or transferee on the California Department of Justice Dealer Record of Sale of Firearm worksheet signed by the purchaser or transferee. The thumb print shall be recorded at the lower right hand corner on the back side of the worksheet at the time that the worksheet is signed by the purchaser or transferee.

(d) The thumb print record required by this section shall be maintained on the premises of the dealer throughout the time period during which the Dealer Record of Sale is required to be maintained by the dealer. Such record shall be subject to inspection at any time during normal business hours in accordance with the provisions of § 103.14 of this Code.

(e) No person shall knowingly fail to obtain a required thumb print, or knowingly fail to maintain the record of a thumb print required by this section. No person shall refuse to permit a law enforcement employee to examine any record prepared in accordance with this section during any inspection conducted pursuant to this section, or refuse to permit the use of any such record or information in such record by a law enforcement agency.

(f) The requirements of this section shall not apply when the purchaser or transferee is any of the following:

(1) Any person described in § 12302 or 12322 of the California Penal Code;

(2) Any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer;

(3) Any person who has been issued a permit to carry a concealed weapon under the authority of § 12050 of the California Penal Code;

(4) Any security guard licensed under the authority of § 12033 of the California Penal Code;

(5) Any firearms dealer who has been issued a Federal Firearms License, a Certificate of Eligibility by the State of California, and a Seller of Firearms Permit by the City of Los Angeles.

(g) Any violation of this section shall constitute a misdemeanor.

Section 55.18. Sale of Large Caliber Firearms Prohibited.

(a) As used in this section, the term "**large caliber firearm**" shall mean any firearm, as defined in § 103.314 of this Code, capable of firing a center-fire cartridge of .50 caliber or larger either by designation or by actual measurement. The term "large caliber firearm" shall include any rifle or handgun.

(b) As used in this section, the term "**rifle**" shall mean any firearm that is designed or redesigned, made or remade, and intended to be fired from the shoulder and is designed to fire only a single projectile through a rifled bore for each single pull of the trigger. The term "rifle" shall not include any shotgun.

(c) As used in this section, the term "**handgun**" shall mean any firearm with a barrel less than 16 inches in length. The term "handgun" shall include any pistol, revolver, or concealable firearm as such terms are defined in the California Penal Code.

(d) No person shall sell, give, transfer ownership of, transfer, offer for sale, or display for sale any large caliber firearm.

(e) The provisions of this section shall not apply to any sale or transfer of a firearm which is prohibited under state law, of any destructive device as defined in § 12301 of the California Penal Code, of any assault weapon as defined in the California Penal Code, or of any .50 BMG rifle as defined in the California Penal Code. The provisions of this section shall not apply to any offer for sale or display in any periodical, solicitation by mail, or use of the internet by a seller or offeror located outside the City of Los Angeles.

(f) The provisions of Subsection (d) of this section shall not apply where the purchaser or transferee is any of the following:

(1) A law enforcement agency;

(2) An agency duly authorized to perform law enforcement duties;

(3) A state or local correctional facility;

(4) A person described in § 12302 or 12322 of the California Penal Code, when acting within the course and scope of his or her law enforcement duties;

(5) A federal law enforcement officer, when acting in the course and scope of his or her law enforcement duties;

(6) A person who is properly identified as a full-time paid peace officer, as defined in § 830.1, 830.2, 830.4, or 830.5 of the California Penal Code, and who is authorized to, and does, carry a firearm during the course of his or her employment as a peace officer, and is acting within the course and scope of such employment;

(7) A firearms dealer who has been issued a Federal Firearms License, a Certificate of Eligibility by the State of California, and a permit by the City of Los Angeles to engage in the retail sale of firearms;

(8) A purchaser of a curio or collector firearm. A firearm shall be deemed curio or collector only if it falls within one of these categories:

(A) It was manufactured prior to 1899;

(B) It is classified as a curio or relic pursuant to 27 Code of Federal Regulations § 178.11, and the purchaser maintains a current federal firearms collector license; or

(C) It is a muzzle-loading firearm;

(9) A federal, state, or local historical society, museum, or institutional collection that is open to the public, provided that the large caliber firearm is used for display purposes, is secured from unauthorized use, and is unloaded;

(10) A person acting pursuant to a valid entertainment firearms permit issued by the State of California; or

(11) A person who obtains title to a large caliber firearm by bequest or intestate succession.

(g) Any violation of this section shall constitute a misdemeanor.

Section 55.19. Sale of Ammunition for Large Caliber Firearms Prohibited.

(a) Definitions.

1. "**Firearm Ammunition**" means any self-contained unit consisting of the case, primer, propellant charge, and projectile for use in pistols, revolvers, rifles, shot guns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion. "Firearm Ammunition" shall not include blank ammunition used solely in the course of motion picture, television, video, or theatrical productions.

2. "**Large caliber firearm**" means any firearm, as defined in § 103.314 of this Code, capable of firing a center-fire cartridge of .50 caliber or larger either by designation or by actual measurement. The term "large caliber firearm" shall include any rifle or handgun.

(b) No person shall sell, give, transfer ownership of, transfer, offer for sale, or display for sale any firearm ammunition for any large caliber firearm.

(c) The provisions of this section shall not apply to any sale or transfer of firearm ammunition which is prohibited under state law, including but not limited to any destructive device as defined in § 12301 of the California Penal Code or any fixed ammunition of a caliber greater than .60 caliber as defined in § 12304 of the California Penal Code. The provisions of this section shall not apply to any offer for sale or display in any periodical, solicitation by mail, or use of the internet by a seller or offeror located outside the City of Los Angeles.

(d) The provisions of Subsection (b) of this section shall not apply where the purchaser or transferee is any of the following:

(1) A law enforcement agency;

(2) An agency duly authorized to perform law enforcement duties;

(3) A state or local correctional facility;

(4) A person described in § 12302 or 12322 of the California Penal Code, when acting within the course and scope of his or her law enforcement duties;

(5) A federal law enforcement officer, when acting in the course and scope of his or her law enforcement duties; and

(6) A person who is properly identified as a full-time paid peace officer, as defined in § 830.1, 830.2, 830.4, or 830.5 of the California Penal Code, and who is authorized to, and does, carry a firearm during the course of his or her employment as a peace officer, and is acting within the course and scope of such employment.

(e) Penalty. Any violation of this section shall constitute a misdemeanor.

(f) Severability. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions, which can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 55.21. Safe Storage of Handguns.

(a) Definitions.

1. "**Residence**" shall mean any structure intended or used for human habitation, including, but not limited to, houses, condominiums, rooms, in- law units, motels, hotels, single room occupancies, time-shares, recreational and other vehicles where human habitation occurs.

2. "**Locked Container**" shall mean a secure container which is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device.

3. "**Handgun**" shall mean any pistol, revolver or other firearm that is capable of being concealed upon the person, designed to be used as a weapon, capable of expelling a projectile by the force of any explosion or other form of combustion and has a barrel less than 16 inches in length.

4. "**Trigger Lock**" shall mean a trigger lock that is listed in the California Department of Justice's list of approved firearm safety devices and that is identified as appropriate for that handgun by reference to either the manufacturer and model of the handgun or to the physical characteristics of the handgun that match those listed on the roster for use with the device under Penal Code § 23655(d).

(b) Prohibition. No person shall keep a handgun within a residence unless the handgun is:

1. Stored in a locked container or disabled with a trigger lock that has been approved by the California Department of Justice;

2. Carried on the person of the owner or other lawfully authorized user of the handgun who is over the age of 18; or

3. Within close enough proximity and control that the owner or other lawfully authorized user of the handgun who is over the age of 18 can readily retrieve and use the handgun as if carried on the person.

(c) Penalty. Every violation of this section shall constitute a misdemeanor and upon conviction shall be punished by a fine not to exceed $1,000 or by imprisonment in the county jail not to exceed 6 months, or by both.

Los Gatos Code of Ordinances
Codified through Ordinance No. 2273, enacted May 1, 2018. (Supp. No. 76)

Chapter 14 Licenses and Miscellaneous Business Regulations
Article XIII Firearms Dealers

Section 14.130.010 Purpose and intent.

This article is enacted pursuant to state law as set forth in the California Penal Code that allows a local government to require a permit (license) to sell firearms within the Town.

Section 14.130.015 Definitions.

For purposes of this article XIII, the following words and terms are defined as follows:

Applicant means any person or any officer, director, employee or agent of a business, or a business entity who applies for a permit to sell, lease, or transfer firearms, firearm components, ammunition, or destructive devices.

Chief of Police means the Chief of Police of the Town of Los Gatos or the chief's designated representative.

Destructive device means any explosive, incendiary, bomb, grenade or any similar device as more particularly defined in Title 18, United States Code, and California Penal Code.

Director of Community Development means the Director of Community Development of the Town of Los Gatos or the director's designated representative. All references in the Town Code to "Planning Director" are intended to refer to the Director of Community Development (Town Code section 20.10.020).

Firearm means any device which is designed to be used as a weapon or may be converted or modified to be used as a weapon which expels a projectile through a barrel by the force of an explosion or other form of combustion. A "firearm" includes any device defined in Title 18, United States Code, and relevant sections of the California Penal Code.

Firearm ammunition (or ammunition) means any cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof.

Permitee means any person or any officer, director, employee or agent of a business, or a business entity who is issued a permit to sell, lease, or transfer firearms, firearm components, or ammunition.

Retail sales of firearms, ammunition and/or destructive devices means any business engaged in the business of selling, leasing, or otherwise transferring any firearm, firearm component, ammunition and/or destructive device as defined in this chapter by means of traditional retail sales, individual or bulk transactions, internet transactions, or in any other manner indicative of trade.

Section 14.130.020 Permit requirements.

No person shall engage in the business of selling, leasing, transferring, advertising or offering or exposing for sale any firearms, ammunition, or destructive devices without first obtaining a permit pursuant to the provisions of this chapter. For purposes of this chapter, engaging in the business of selling or transferring firearms, ammunition, and/or destructive devices includes the infrequent sale or transfer, offer, exposing for sale, or advertising of firearms, ammunition, and/or destructive devices.

Section 14.130.025 Application for permit; fee.

(a) Any person, partnership, or other entity desiring to engage in the business of selling or transferring firearms, ammunition and/or destructive devices shall apply for a permit to do so on an application form specifically designated for that purpose and provided by the Town of Los Gatos.

(b) Any person proposing to engage in business as a firearms dealer within the Town shall secure the applicable federal and state firearms licenses or certificates and shall apply within thirty (30) calendar days after approval of such federal license to the Town of Los Gatos for a permit in compliance with this chapter and shall not engage in business as a firearms dealer within Town limits unless and until a permit has been issued by the Town.

(c) The written application for a permit shall be submitted to the Director of Community Development along with copies for distribution to the Chief of Police, Town Manager and Town Attorney and executed by all applicants under the penalty of perjury on such form as may be prescribed by the Town, and which shall include all of the following:

> **(1)** The applicant(s) name, including any aliases, prior names, "dbas," the names of any partnership including the identity of all of the partners of the partnership, the names of any corporation including the identity of all the officers of the corporation and principle shareholders, and any other business entity including the identity of the principles of the business entity.

(2) The applicant(s) residence address and addresses of any location where applicant has engaged in business for five (5) years immediately preceding the date of the application; the length of time at each address; a description of the nature of the business(es) conducted.

(3) The date, location, and nature of all criminal convictions of applicant(s), if any, in any jurisdiction in the United States.

(4) The names, ages, and addresses of all persons who will have access to or control of workplace firearms, firearms components, ammunition, and/or destructive devices, including but not limited to, the applicant's employees, agents and/or supervisors, if any.

(5) A certificate of eligibility from the California Department of Justice under the relevant section of the California Penal Code for each individual identified in subsection (4) above demonstrating that the person is not prohibited by state or federal law from possessing firearms or ammunition.

(6) The applicant's federal firearms license and California firearms dealer numbers.

(7) A recent passport-type photo of the applicant(s) and fingerprints.

(8) Proof of possessory interest in the property at which the business is proposed to be conducted, and the name and address of the owner of such real property.

(9) A floor plan and security plan for the building, to include plans and drawings indicating that the structure will comply with all requirements set forth in California Penal Code Section with respect to storage of firearms and ammunition and building construction; placement of security cameras; and such other security measures as may be deemed appropriate by local authorities as authorized in California Penal Code. The security plan shall provide for the installation of security cameras and retention of camera records for a period of at least sixty (60) days.

(10) The applicant's written agreement to indemnify, defend and hold harmless the Town, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pursuant to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of all of the following: (i) the applicant; (ii) the applicant's officers, employees, agents and/or supervisors; and, (iii) if the business is a corporation, partnership or other entity, the officers, directors or partners.

(11) The application shall be accompanied by a non-refundable processing fee in such amount as established from time to time by resolution of the Town Council.

(12) The address of the proposed location for which the permit is required, together with the business name, if any.

(13) Certificate of insurance for general liability insurance in an amount not less than one million dollars ($1,000,000.00) for each incident of damage to property, injury, or death.

Section 14.130.030 Investigation for permit.

Upon receipt of the completed application (including all requested documents) and the fee as required in this article, the Director of Community Development and the Chief of Police shall each conduct an investigation as each deems appropriate to determine for the protection of the public safety whether a permit should be issued. The director or chief may require additional information of an application which is deemed necessary to complete the investigation.

(1) The Chief of Police shall determine, among other information deemed relevant, whether the applicant has ever been convicted of a felony or misdemeanor offense involving theft, dishonesty, violence or moral turpitude; and whether the possession or sale of firearms by the applicant would constitute a violation of state or federal law.

(2) The Director of Community Development shall determine whether the conduct of the business at the proposed location will be in compliance with zoning requirements and any other applicable rule, regulation or ordinance of the Town.

(3) Following the completion of the investigations described herein, the Director of Community Development and the Chief of Police shall each make a written recommendation whether the proposed permit is either recommended to be approved or rejected, subject to the provisions of this chapter, and the Town Manager shall receive and provide the recommendations to the Town Council for consideration at a public hearing.

Section 14.130.035 Grounds for denial of permit.

An application for a permit to conduct a business engaged in the sale of firearms, ammunition and/or destructive devices shall be denied based on any of the following grounds:

(1) A finding by the Chief of Police that the applicant is ineligible to receive a license from the state or federal government to engage in the sale of firearms, ammunition, and/or destructive devices, or is otherwise prohibited from possessing or transferring firearms.

(2) The applicant, officer, employee, or agent is under twenty-one (21) years of age.

(3) The applicant, officer, employee, or agent had a similar type of permit previously revoked or denied for good cause within the immediately preceding five-year period.

(4) The applicant, officer, employee, or agent has knowingly made a false or misleading statement of a material fact or omission of a material fact in the application for a permit.

(5) The applicant, officer, employee, or agent has been convicted of any of the following:

a. Any offense so as to disqualify applicant, officer, employee, or agent from owning or possessing a firearm under applicable federal, state, or local laws.

b. Any offense relating to the manufacture, sale, possession, use, or registration of any firearm, ammunition, and/or destructive device.

c. Any offense involving the unlawful use of force or violence upon the person of another.

d. Any offense involving theft, fraud, dishonesty, or deceit.

e. Any offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code.

(6) The applicant, officer, employee, or agent is an unlawful user of a controlled substance as defined by the California Health and Safety Code.

(7) The applicant, officer, employee, or agent has been determined to be within a class of persons defined in Welfare and Institutions Code Sections to have a mental defect, been committed to a mental institution, or suffer from any psychological disturbance which would impair his/her fitness to be engaged in the sales of firearms, ammunition, and/or destructive devices.

(8) A determination by the Director of Community Development, the Planning Commission, and/or the Town Council following a public hearing that the use of the business at the proposed location would not be in compliance with all zoning requirements and other rules, regulations, ordinances and policies of the Town.

(9) Any other considerations which may be raised and examined through a public hearing.

(10) In no event shall a permit be issued for a business that engages in or is planning to engage in the manufacture or sales of destructive devices, ammunition for destructive devices, or armor piercing ammunition.

Section 14.130.040 Public hearing for permit.

All applications for permits shall be required to be considered at a public hearing before the Town Council. At least ten (10) days before the hearing, the Town shall give notice by publication at least once in a newspaper of general circulation, published and circulated in the Town, or if there is none, by posting in at least three (3) public places in the Town.

Section 14.130.045 Permit conditions, term, and renewal.

Any permit issued pursuant to the provisions of this chapter, shall be subject to the following conditions:

(1) Shall be effective for one (1) year from the date of issue.

(2) Shall be subject to conditions as may be imposed by the Town Council that are reasonably related to the purpose and intent of this chapter and public health, safety, and welfare.

(3) The permit or a copy of it shall be displayed on the premises where it can be seen by customers.

(4) The permitee, and its officers, employees, or agents shall comply with all federal and state firearms laws.

(5) All permits issued under the provisions of this chapter shall be effective for not more than one (1) year, and shall be renewable in the same manner provided for issuance of the initial permit, including the requirement of a public hearing.

(6) All permitees, its officers, employees, or agents shall protect firearms, ammunition, and/or destructive devices in the following manner:

a. All firearms shall be displayed in locked cabinets, secured rack, or a storage area so that access to firearms is controlled by the dealer or an employee to the exclusion of all others.

b. The permitee or its officer, employee, or agent shall be present at all times when a prospective buyer or seller is handling any firearm, ammunition, and/or destructive device prior to sale and delivery of the firearm, ammunition, and/or destructive device.

c. In no event shall a firearm be transferred or delivered with ammunition already loaded.

(7) Each employee who engages in the sale, lease, or transfer of firearms, ammunition, and/or destructive devices must obtain a certificate of eligibility issued by the California Department of Justice. A copy of the certificate of eligibility shall be provided to the Chief of Police prior to start of employment.

(8) Permitee, its officers, employees, or agents shall immediately notify the Chief of Police if there is a reason to believe that any firearm, ammunition, and/or destructive device has been lost or stolen.

(9) Maintain a valid Town business license.

(10) Maintain a valid insurance policy as described in subsection 14.130.025(c)(13) above.

Section 14.130.050 Transferability of permit.

No permit issued under this chapter shall be transferable or assignable and any attempted transfer shall invalidate the permit.

Section 14.130.055 Law enforcement inspections.

Any person or entity operating under a permit to engage in the sale of firearms, ammunition and/or destructive devices under the provisions of this chapter shall hold that business open for inspection by federal, state and local law enforcement during all hours of operation. The Chief of Police or designee may conduct periodic inspections of the business without notice. All records, documents, licenses, firearms, firearm components, ammunition and/or destructive devices shall be maintained in a manner and place accessible for inspection by federal, state and local law enforcement at all times.

Section 14.130.060 Suspension or revocation of permit.

(a) Any permit issued under this chapter may be suspended or revoked pursuant to the processes set forth herein, and for any reason that would have justified a refusal of the permit originally, or by failure of the person or entity operating under any such permit to comply with the provisions of this chapter or any other provision of this Code, or any condition of such permit.

(b) The person or entity operating under the provisions of any such permit shall be given prompt notice of the intention to suspend or revoke the permit in the manner set forth in this section.

(c) Grounds for suspension or revocation of permit. Upon receipt of information or a complaint and reasonable cause to believe that grounds for a suspension or revocation of a permit exists, the Town Manager may suspend for a period of up to nine (9) months or revoke a permit, according to procedures set forth herein on the grounds set forth in subsection (a), above, and on any of the following grounds:

(1) The permitee, its officers, employees, or agents have operated or managed the firearms business in a manner which violates the firearms permit issued by the Town, any provision of this chapter, or other applicable Town Code provisions, state or federal law; or

(2) Has made a false or misleading statement or material omission of fact on the application for a permit, or for renewal of the permit, or in any supplementary materials submitted with the application.

(d) Procedure for revocation or suspension of permit:

(1) Notice to permitee. Whenever the Town has reasonable cause to believe that grounds for the suspension or revocation of a permit exist, the Town shall give the permitee written notice of the grounds for the proposed revocation or suspension of the permit, along with the date, time and place of a public hearing to be held before the Town Council on whether the permit should be suspended or revoked. The notice shall be served on the permitee personally at the most recent home or business address on file with the Town or by certified mail with the United States Postal Service.

(2) Hearing before Town Council. The hearing on the revocation or suspension of the permit shall be held before the Town Council not more than sixty (60) working days after the personal service of the to the permitee notice in the same manner of delivery as set forth in subsection (d)(1) above. At the hearing, the permitee shall have the right to appear and present evidence and arguments which are relevant to a determination of whether grounds for suspension or revocation of the permit exist.

(3) Decision of Town Council. Within fifteen (15) working days after the hearing, the Town Council shall issue a written decision which states whether the permit is suspended or revoked, the length of any suspension, and the factual basis for the decision. The decision of the Town Council shall be served on the permitee in the same manner of delivery as set forth in subsection (d)(1) above.

(4) Effective date of revocation or suspension. Any suspension or revocation of a permit shall become effective immediately upon the personal service of the written decision of the Town Council or delivered to the permitee in the same manner of delivery as set forth in subsection (d)(1) above.

(5) Surrender of suspended or revoked permit. Upon a written decision by the Town Council, which suspends or revokes a permit, the permit shall immediately be surrendered to the Town Manager. In the case of a suspension, Town Manager shall return the permit after the period of suspension has ended.

Section 14.130.065 Compliance.

(a) Any person or entity which has been granted a permit to engage in the sale of firearms, ammunition and/or destructive devices under this chapter shall be subject to and shall comply with the regulations and conditions as set forth in the relevant sections of this chapter and the California Penal Code.

(b) Any person engaging in the business of selling, transferring, or advertising for sale or transfer of any firearm, ammunition, and/or destructive device on the effective date of the ordinance from which this article derived, shall file an application for a permit under this chapter within sixty (60) calendar days after such effective date.

Section 14.130.070 Penalties.

(a) The violation of any provision contained in this chapter, or the violation of any condition of a permit issued hereunder, is hereby declared to be unlawful and shall constitute a misdemeanor, subject to the penalties as prescribed in section 1.10.040 of the Town Code, and the penalties as prescribed in the California Penal Code.

(b) The maximum fine or penalty for any violation of this article shall be one thousand dollars ($1,000.00), or a term of imprisonment in the county jail for a period not exceeding six (6) months.

(c) Except as otherwise provided, every such person may be charged with a separate offense for each and every day during any portion of which any violation is committed, continued, or permitted by such person, and shall be punishable accordingly.

(d) The enforcement of this chapter shall be in addition to any proceedings conducted for revocation or suspension of the permit and any civil action to seek enforcement of these provisions authorized by the Town Council.

Section 14.130.075

If any section, subsection, sentence, clause, phrase, or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such decision shall not affect the validity of the remaining portion thereof.

Chapter 18 Offenses and Miscellaneous Provisions
Article VII Weapons

Section 18.70.030 Sale to, possession, use by minors.

No person shall sell to any minor in the Town under the age of sixteen (16) years, and no person shall sell or give to any minor in the Town under the age of eighteen (18) years, without written consent of the minor's parent or guardian, any rifle, gun, pistol, revolver, air rifle, B-B gun, or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected. No such minor shall use or possess any rifle, gun, pistol, revolver, air rifle, B-B gun or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected. The provisions of this section shall not apply to the possession of such firearms or other instruments by such minors in carrying or transporting such firearms or other such instrument, unloaded or broken down into, through or out of the Town or in bona fide shooting galleries, gun clubs or organizations or educational institutions authorized to give military instruction, while such firearms or other instrument are being used as a part of such instruction, nor to the possession of unloaded firearms, air rifles or other such instruments by any such minor as an employee of a merchant, when such possession is in the usual course of the minor's employment. The provisions of this section shall not apply to cap pistols, dart guns or other similar toys.

Chapter 29 Zoning Regulations
Article I In General
Division 1 Miscellaneous

Section 29.10.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

Firearm means any device which is designed to be used as a weapon or may be converted or modified to be used as a weapon which expels a projectile through a barrel by the force of an explosion or other form of combustion. A "firearm" includes any device defined in Title 18, United States Code, and relevant sections of the California Penal Code.

Firearm ammunition (or ammunition) means any cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof.

Section 29.10.09025 Home occupations.

(f) Prohibited uses. The following uses are prohibited:

(1) Retail sales of firearms, ammunition and/or destructive devices.

Article II Administration and Enforcement
Division 3 Approvals

Section 29.20.190 Findings and decision.

(d) The deciding body, on the basis of the evidence submitted at the hearing, may deny a conditional use permit for new retail sales of firearms, ammunition and/or destructive devices if it finds any of the following:

(1) The proposed use is not in harmony with specific provisions or objectives of the general plan and the purposes of this chapter;

(2) The proposed use will detract from the existing balance and diversity of businesses in the industrial district in which the use is proposed to be located; and

(3) The proposed use does not comply with the location requirements as contained in section 29.70.100.

Section 29.20.198 Review of application for a conditional use permit or modification to a conditional use permit for retail sales of firearms, ammunition and/or destructive devices.

(a) When reviewing an application for a conditional use permit or modification to a conditional use permit for retail sales of firearms, ammunition and/or destructive devices pursuant to section 29.20.185, the deciding body shall consider the following factors in addition to those required in section 29.20.190 and section 29.70.100:

(1) Any change in the type of Federal Firearms License, or any other required State license or permit, and change to the validity of the licenses held by the business granted a conditional use permit shall require an application for a modification of the conditional use permit, and shall be subject to all required findings set forth in section 29.20.190.

(2) For existing nonconforming businesses that do not have a conditional use permit, any change in the type of Federal Firearms License type, any change in the State of California Certificate of Eligibility or any other required State license or permit, change to the validity of the licenses held by the business shall require an application for a conditional use permit, and shall be subject to all required findings set forth in section 29.20.190.

(b) When reviewing an application for retail sales of firearms, ammunition and/or destructive devices, the deciding body shall impose the following conditions and operating standards:

(1) No person shall engage in the business of selling, leasing, transferring, advertising or offering or exposing for sale any firearms, ammunition, or destructive devices without first obtaining a permit pursuant to the provisions of sections 14.130.010 through 14.130.075 of the Town Code. For purposes of this chapter, engaging in the business of selling or transferring firearms, ammunition, and /or destructive devices includes the infrequent sale or transfer, offer, exposing for sale, or advertising of firearms, ammunition, and/or destructive devices.

(2) Within one (1) year from occupancy the Town Council shall conduct annual reviews of the conditional use permit for compliance.

(c) Notice of the hearing shall be subject to section 29.20.565 except that notices shall be mailed within five hundred (500) feet of the real property that is the subject of the hearing.

(d) For the purposes of this chapter, any change in the type of Federal Firearms License type or State license of permits shall be considered an intensification of use.

(e) The deciding body shall make written findings on the application based on substantial evidence in view of the whole record.

(f) If State or Federal law imposes more stringent requirements than those imposed pursuant to this section, then those State or Federal requirements shall apply.

Division 7 Assignment of Duties

Section 29.20.755 Town Council.

The Town Council:

(2) Hears and determines Planning Commission recommendations for the adoption or amendment of the general plan or any specific plans and conditional use permits for establishments selling alcoholic beverages for on premises consumption and for retail sales of firearms, ammunition and/or destructive devices.

Article VII Industrial Zones
Division 2 LM or commercial-Industrial Zone

Section 29.70.100 Permitted uses.

(c) Retail sales of firearms, ammunition and/or destructive devices are subject to the following:

(1) Retail sales of firearms, ammunition and/or destructive devices may be allowed in the LM zone with a conditional use permit subject to all of the restrictions and requirements set forth in this chapter and sections 14.130.010 through 14.130.075 of the Town Code. However, retail sales of firearms, ammunition and/or destructive devices shall not be permitted within two hundred fifty (250) feet of:

a. Any premises occupied by a public or private day care center, day care home, nursery school, elementary, junior high, middle, or high school, or any other youth educational institution whether public or private.

b. Any premises occupied by a government building, place of worship, public park or public trail.

c. Any premises occupied by a business which is primarily engaged in providing activities or instruction to persons under the age of eighteen (18) not listed in section a. above, existing prior to November 6, 2013.

(2) All distances referred to in this section shall be measured between the closest points on the exterior property lines or area boundaries of the real property involved, except when the applicant proposes to occupy one (1) unit of a multi-unit structure located on a single parcel, where distances shall be measured from the exterior boundaries of the unit so occupied.

Lynwood Code of Ordinances
Codified through Ordinance No. 1690, passed December 20, 2016

Chapter 3 Public Safety Regulations
3.17 Weapons

Section 3-17.2 Furnishing ammunition to persons under eighteen.

Except as otherwise provided in this section, it shall be unlawful in the city for any person to sell, give, loan or in any way furnish or to cause or permit to be sold, given, loaned or in any way furnished to any person under the age of eighteen (18) years any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 3-17.4 Persons under eighteen possessing or discharging firearms and other weapons.

Except as otherwise provided in this section, it shall be unlawful in the city for any person under the age of eighteen (18) years to have in his possession, care, custody or control any firearm, air gun or spring gun, slingshot, sling or device designed or intended to discharge, or capable of discharging any dangerous missile, or any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any firearm.

Section 3-17.5 Parental consent for persons under eighteen.

Nothing in this section shall be deemed or construed to prohibit in the city the selling, giving, loaning or furnishing to any person under the age of eighteen (18) years upon the written consent of the parents or guardian of such person any article mentioned in this section, nor to prohibit any person under the age of eighteen (18) years from having in his possession, care, custody and control any weapon mentioned in this section in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some person over the age of twenty one (21) years.

Section 3-17.6 Gun dealer.

a. Definition: Gun dealer shall mean any person, firm or corporation who sells or otherwise transfers to the public, any pistol, revolver or other firearm, new or used, capable of being concealed upon the person. “Gun dealer” includes any person, firm or corporation who purchases, takes in trade or accepts on consignment from the public, any firearm of any type, including, but not limited to, pistols, revolvers, rifles and shotguns.

b. Permit Requirements; Records: If a permit is granted to a gun dealer pursuant to chapter 4 of this code, it shall be subject to the following conditions, for breach of any of which the permit shall be subject to forfeiture:

1. The business shall be carried on only in the building designated in the license.

2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

3. No pistol or revolver shall be delivered:

(a) Within fifteen (15) days of the application for purchase, and when delivered shall be unloaded and securely wrapped.

(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

4. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can be readily seen from the outside.

5. The gun dealer shall comply with all applicable federal, state and local laws pertaining to his business.

Upon the request of any peace officers, a gun dealer shall furnish all records pertaining to the gun dealer's transactions, including, but not limited to, all records required to be maintained by law, and shall permit an inspection of the licensed premises.

Chapter 3.17A Sale of Weapons

Section 3-17A.1 Hours of sale.

No business establishment located within the boundaries of this city will be permitted to sell firearms of any kind except between the hours of nine o'clock (9:00) A.M. and nine o'clock (9:00) P.M.

Section 3-17A.2 Assault weapons.

It shall be unlawful for any person to sell, exchange, give, loan or possess any assault weapon within the limits of the city. It shall further be unlawful for the driver or owner of any vehicle to knowingly permit the presence of an assault weapon in such vehicle within the city.

a. Subject to subsection 3-17A.2c of this section, the term "**assault weapon**" as used in this section, shall include:

1. Any semiautomatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of twenty (20) rounds or more, including, but not limited to, the following firearms or their copies: AR 15 semiautomatic assault rifles, Uzi semiautomatic assault rifles or carbines, Ingram Mac-10 semiautomatic assault carbines, Ingram Mac-11 semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, AK-47 semiautomatic assault rifles, AKM-47 semiautomatic assault rifles, all Avtomat Kalashnikov weapons, M1-A semiautomatic assault rifles, M-14 semiautomatic assault rifles, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

2. Any shotguns with a barrel of less than eighteen inches (18") and a folding stock or magazine capacity of more than six (6) rounds;

3. Any weapon which may be readily restored to an operable "assault weapon" as defined in subsections 3-17A.2a1 and a2 of this section; and

4. Any part, or combination of parts, designed or intended to convert a weapon into an "assault weapon", as defined in subsections 3-17A.2a1 and a2 of this section, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under the control of the same person.

b. As used in this section, the term "semiautomatic" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

c. The term "assault weapon" does not include any of the following:

1. Any of the above generally and specifically described weapons which is a "machine gun" as the term is defined by Section 12200 of the Penal Code of the State of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Section 12025 of the Penal Code of the State of California;

2. Any of the following: weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single-shot weapons, multiple-barrel weapons, revolving cylinder weapons, semiautomatic weapons which use exclusively Mannlicher-style clips, semiautomatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;

3. Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of Subsection (b) of Section 12020 of the Penal Code of the State of California;

4. Any short-barreled rifle or shotgun as defined in Subsection (c) of Penal Code Section 12020; or

5. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

d. Except as specified in paragraphs e, f, and g, no person, including wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.

e. Nothing in this section shall prohibit the acquisition, possession, or disposition by police departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or of the United States for use in the discharge of their official duties; nor shall anything in this section prohibit the possession of assault weapons or magazines therefor by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of assault weapons is within the scope of their duties.

f. The provisions of this section shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the State of California or Section 2010 of the Fish and Game Code of the State of California.

g. Notwithstanding the provisions of paragraph d of this section:

1. Any person who obtains title to an assault weapon by bequest or intestate succession may retain possession for a period of time not to exceed six (6) months, and shall within that time transfer title of the weapon to a dealer licensed pursuant to Article 4 of the State of California Penal Code, commencing at Section 12250, or to the Los Angeles Sheriff's Department or other police agency;

2. An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use; and

3. An assault weapon may be possessed by any federal, state or local historical society, museum or institutional collection which is open to the public, provided any such weapon is properly housed, secured from unauthorized handling and is unloaded.

Section 3-17A.3 Waiting period for purchase of firearms.

Where no waiting period is already in effect, pursuant to any other provision of law, there is hereby instituted a fifteen (15) day waiting period between the time that application is made for the sale of any firearm within the City and the time that such weapon may be given to the purchaser.

Section 3-17A.4 Application for purchase of firearms; Notice.

Upon application of an individual to purchase any firearm in this City, notice will be sent to the following:

a. The City Manager;

b. The Chief of Law Enforcement Officer of this City; and, where applicable;

c. The Probation or Parole Officer of the person so purchasing.

Chapter 4 Licensing and Business Regulations
4.8 Generally

Section 4-8.8 Occupations for which a special permit required; Filing fee.

A special permit together with a regulatory fee in an amount established by resolution of the City Council shall be required for the conduct of the following businesses in the City:

g. Alphabetical Listing for G.

1. Gun Dealers: For each person managing, conducting or carrying on the business of a gun dealer.

Permits required by this subparagraph shall be issued for a maximum period of one (1) year.

2. Concealable Firearms:

(a) In addition to such other licenses and permits required by this Code, any retail dealer of pistols, revolvers and other firearms capable of being concealed upon the person, shall obtain a special permit under this subsection.

(b) The City shall be the licensing authority for purposes of this subsection.

(c) The approval of the Lynwood sheriff's station captain must be obtained before the city may grant special permits to sell within the city pistols, revolvers, and other firearms capable of being concealed upon the person. If the permit is granted, it shall be in the form prescribed by the attorney general, or if no such form exists, in the form prescribed by the Lynwood sheriff's captain. The permit shall be effective for not more than one year from the date of issue, and shall be subject to the provisions of section 12071 of the California Penal Code, as now codified or later amended, or any successor statute of like subject matter. Permit applications shall be in the form prescribed by the city.

(d) In determining whether to issue such permit, the sheriff's station captain may conduct a physical inspection of the sales premises and a personal background check of the applicant. Fingerprinting of the applicant may be required prior to the issuance of the license. The factors to be considered in determining if a permit should be issued are security of the sales premises, criminal history of the applicant, reputation of the applicant for honesty and integrity, and the number of local dealers presently in operation.

Appendix A Uses by Zoning District

The following matrix provides a listing of land uses which are permitted by right, subject to the conditional use permit review, subject to a temporary use permit review, permitted as an accessory use, and prohibited within each of the city's zoning districts. The following symbols are used to describe the relationship of the listed uses to each zoning district:

P The use is permitted by right subject to the requirements of this code and other city ordinances and codes.
C The use requires a conditional use permit.
S The use requires site plan review approval.
A The use is permitted as an accessory use only, subject to specific conditions outlined in this development code.
T The use is permitted only as a temporary use, subject to the specific conditions contained in article 75 of this chapter.

Uses not shown as permitted, conditionally permitted, site plan review approval, accessory, or temporary are prohibited in the zoning district.

If a proposed use is not listed in the following table, the director of community development shall make a determination of which listed use most closely corresponds, or if a conditional use permit is required.

Zoning Districts:

R-1 = Single-family residential
R-2 = Townhouse, cluster and two-family residential
R-3 = Multi-family residential
PRD = Planned residential development
P-1 = Automobile parking
C-2 = Light commercial
C-2A = Medium commercial
C-3 = Heavy commercial
PCD = Planned commercial development
CB-1 = Controlled business
M = Manufacturing
HMD = Hospital-medical-dental
PF = Public facilities
OS = Open space
SPA = Specific plan area
CCOA = Civic center overlay area

Land Use	R-1	R-2	R-3	PRD	P-1	C-2	C-2A	C-3	PCD	CB-1	M	HMD	PF	OS	SPA	CCOA
Gunsmith							P	P			P					

California Published Ordinances M-Z

Attorney General's Office
California Department of Justice
Attention: Public Inquiry Unit
Post Office Box 944255
Sacramento, CA 94244-2550
Voice: (916) 210-6276
https://oag.ca.gov/

Los Angeles Field Division
550 North Brand Blvd Suite 800
Glendale, CA 91203
Voice: (818) 265-2500
https://www.atf.gov/los-angeles-field-division

San Francisco Field Division
5601 Arnold Road, Suite 400
Dublin, CA 94568
Voice: (925) 557-2800
https://www.atf.gov/san-francisco-field-division

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Manteca Code of Ordinances

Codified through Ordinance No. O2018-22 and the September 2018 code supplement.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.48 Firearms Sales

Section 5.48.010 Licensing requirements.

A. All applications for licenses permitting the licensee to sell, at retail within the city, pistols, revolvers and other firearms capable of being concealed upon the person shall be submitted to the city clerk who shall cause the application to be set for hearing before the city council. The city council may approve, conditionally approve or deny the application. If a license is granted, it shall be in the form prescribed by the attorney general, effective for not more than one year from the date of issuance, and be subject to the following conditions, for breach of any of which the license shall be subject to revocation:

1. The business shall be carried on only in the building designated by the license.

2. The license, or a copy thereof, certified by the issuing authority shall be displayed on the premises where it can be easily seen.

3. No pistol or revolver shall be delivered:

a. Within fifteen days of the application for the purchase, or, after notice by the Department of Justice pursuant to Penal Code 12076(c), within fifteen days of the submission to the Department of Justice of corrected copies of the register required by Penal Code 12073 or within fifteen days of the submission to the Department of Justice of any fee required pursuant to Penal Code 12076, whichever is later;

b. Unless unloaded and securely wrapped;

c. Unless the purchaser either is personally known to the seller or shall present clear evidence of his or her identity;

d. Whenever the dealer is notified by the Department of Justice that a purchaser is in a prohibited class described in 12021 and 12021.1 or Welfare and Institutions Code 8100 and 8103.

4. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can be readily seen from the outside.

B. As used in this section, “clear evidence of his or her identity” includes, but is not limited to, a motor vehicle operator’s license, a state identification card, an armed forces identification card, and employment identification card which contains the bearer’s signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity of the purchaser.

Marin County Code of Ordinances

Codified through Ordinance No. 3697, passed August 21, 2018. (Supp. No. 2018 Update 1)

Title 6 Public Peace, Safety and Morals
Chapter 6.8 Regulation of Firearms Dealers

Section 6.58.010 Definition of firearm.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by force of explosion or other means of combustion.

Section 6.58.011 Definition of firearm dealer.

"Firearm dealer" and "licensee," as used in this section, means any person licensed to sell, lease or transfer firearms pursuant to California Penal Code Section 12071(a)(1).

Section 6.58.020 Sheriff's permit required.

It is unlawful for any firearms dealer to sell, lease or transfer firearms without a permit issued by the sheriff or his/her designee.

Section 6.58.025 Application.

(a) An applicant for a permit or renewal of a permit under this chapter shall file with the sheriff an application in writing, signed under penalty of perjury, on a form prescribed by the county. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including:

(1) The name including any aliases or prior names, age and address of the applicant;

(2) The applicant's Federal Firearms License and California Firearms Dealer numbers;

(3) The address of the proposed location for which the permit is required, together with the business name, and the name of any corporation, partnership, or association that has any ownership in, or control over, the business, if any;

(4) The names, ages and addresses of:

(A) All persons who will have access to or control of workplace firearms, including but not limited to, the applicant's employees, agents and/or supervisors, if any;

(5) Proof of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

(6) A floor plan of the proposed business, which illustrates the applicant's compliance with security provisions, as outlined in Section 6.58.040 of this chapter;

(7) Proof of compliance with county zoning requirements at the proposed location by presentation of a zoning clearance letter from the director of the community development agency of the county of Marin or his designee. The community development agency may adopt an appropriate fee to implement this requirement;

(8) Proof of compliance with all federal and state licensing laws;

(9) Information relating to every license or permit to sell, lease, transfer, purchase or possess firearms which were sought by the applicant from any jurisdiction in the United States, including, but not limited to, the date of each application and whether it resulted in the issuance of a license; and the date and circumstances of any revocation or suspension;

(10) Applicant's agreement to indemnify, defend and hold harmless the county, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees arising in any manner out of the applicant's negligence or intentional or willful misconduct;

(11) Certification of satisfaction of insurance requirements; and

(12) The date, location, and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(b) The application shall be accompanied by a nonrefundable fee of twenty-five dollars for administering this chapter. The fee may be increased by resolution of the board of supervisors upon evidence of the actual cost of administering the application. This board specifically finds that the twenty-five dollar fee is reasonable and proper for administering this chapter and, in fact, represents a fraction of the cost that will be incurred by the sheriff in processing the application.

Section 6.58.030 Investigation by sheriff.

The sheriff shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The sheriff shall require an applicant, or any officer, agent or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the sheriff, and any other additional information which the sheriff considers necessary to complete the investigation.

Section 6.58.035 Conditions of approval.

In addition to other requirements and conditions of this chapter, a permit by the sheriff is subject to the following conditions, the breach of, any of which is sufficient cause for revocation of the permit by the sheriff:

(a) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event that is authorized by federal, state and local law upon compliance with that law and upon compliance with any Marin County ordinance regulating the permissible locations of gun shows;

(b) The sheriff's permit or a certified copy of it shall be displayed on the premises and at gun shows where it can be easily seen;

(c) The applicant shall not permit any person under eighteen years of age to enter or remain within the premises without being accompanied by the parent, grandparent or legal guardian where the firearm sales activity is the primary business performed at the site.

Section 6.58.040 Requirement of a secured facility.

Firearms dealers must comply with California Penal Code Section 12071 (b)(14) which provides:

At any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(a) Store the firearm in a secure facility (as defined by Penal Code Section 12071(c)(3)) that is part of or that constitutes, the licensee's business premises;

(b) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises;

(c) Store the firearm in a locked fireproof safe or vault on the licensee's premises.

Section 6.58.045 Liability insurance.

(a) No permit issued by the sheriff shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the county and executed by an insurance company approved by the county, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than one million dollars for each incident of damage to property or incident of injury or death to a person;

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the county administrator at least thirty days prior to the time the cancellation becomes effective;

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained immediately, the permit is considered canceled without further notice.

Section 6.58.050 Issuance of sheriff's permit, Duration.

(A) The sheriff's department may grant a sheriff's permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including but not limited to, the State Penal Code, County Building Code, fire, zoning and planning codes;

(b) A permit issued by the sheriff expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable twenty-five dollar renewal fee. The renewal application and the renewal fee must be received by the sheriff's department no later than forty-five days before the expiration of the current permit;

(c) A decision regarding issuance or renewal of a permit may be appealed in the manner provided pursuant to Section 6.58.067.

Section 6.58.060 Grounds for permit denial.

The sheriff shall deny the issuance or renewal of a sheriff's permit when one or more of the following conditions exist:

(a) The applicant has not complied with the requirements of this chapter or, has violated the provisions of Section 6.57.060 of the Marin County Code pertaining to prohibited activity in connection with the sale, display or transfer of "Saturday Night Specials";

(b) The applicant, or any officer, employee or agent thereof who will have access to and control of firearms is under twenty-one years of age;

(c) The applicant is not licensed as required by federal and state law;

(d) The applicant or any officer, employee or agent thereof who will have access to and control of firearms has had a license or permit to sell, lease, transfer, purchase or possess firearms from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five years;

(e) The applicant or any officer, employee or agent thereof who will have access to and control over firearms has made a false or misleading statement of a material fact or omission of a material fact in the application for a police permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five years;

(f) The applicant or any officer, employee or agent thereof who will have access to and control over firearms has been convicted of:

> **(1)** An offense which disqualifies that person from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code Section 12021,
>
> **(2)** An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon,
>
> **(3)** An offense involving the use of force or violence upon the person of another with a deadly weapon,
>
> **(4)** Any felony, misdemeanor burglary or misdemeanor fraud,

(5) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code, as it now reads or may hereafter be amended to read;

(g) The applicant or any officer, employee or agent thereof who has control over firearms is within a class of persons defined in Welfare and Institutions Code Sections 8100 or 8103;

(h) The applicant or any officer, employee or agent thereof who has control over firearms is currently, or has been within the past five years, an unlawful user of a controlled substance as defined by the Health and Safety Code;

(i) The operation of the business as proposed would not comply with federal, state and local law or county law regulating the sale of Saturday Night Specials, or the locations of permitted sales, if any, at gun shows.

Section 6.58.065 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a sheriff's permit also constitute grounds for revocation.

Section 6.58.067 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the sheriff has the right to a hearing before the sheriff before final denial or revocation.

(b) Within ten days of the mailing of written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the sheriff. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the sheriff should set a time and place for the hearing within thirty days.

(c) The decision of the sheriff shall be in writing within ten days of the hearing. An applicant may appeal the decision of the sheriff to the county administrator or his designee in the manner provided by board of supervisors' resolution addressing this appeal process.

Section 6.58.068 Nonassignability.

A sheriff's permit issued under this section is not assignable. An attempt to assign a sheriff's permit renders the permit void.

Section 6.58.069 Compliance by existing dealers.

A person engaging in firearm sales activity on the effective date of this chapter or any amendment to it shall, within sixty days after the effective date, comply with this chapter and any amendment to it.

Section 6.58.075 Record of ammunition sales.

Every holder of a business license to sell ammunition shall maintain records pertaining to ammunition sales prescribed by this chapter on the licensed premises and in the manner prescribed herein. The record shall show:

(a) The date of the transaction;

(b) The purchaser's name, address and date of birth;

(c) The purchaser's driver's license number or other identification and state where issued;

(d) The brand of ammunition purchased;

(e) The type and amount of ammunition purchased; and

(f) The purchaser's signature; and

(g) The purchaser's thumbprint;

(h) Log of Ammunition Sales. The information required by this Section 6.58.075 shall be completed in the logbook at the time of the purchase. Such information shall be recorded in the following format:

Ammunition Sales Registration Log Store:

Date	Address	Date of Birth	License/ID & State	Ammunition Brand	Ammunition Type & Amount	Purchaser Signature

(1) The record shall be maintained in chronological order by date of sale of the ammunition, and shall be retained on the licensed premises of the business licensee for a period of two years following the date of the purchase of the ammunition.

(2) At the direction of the sheriff or his or her designee, deputy sheriffs may enter the premises of any licensed vendor of ammunition during regular business hours for the purpose of examining or inspecting any record required by this chapter.

(i) Exception. The provisions of this section shall not apply to the sale of firearm ammunition by a firing range licensed to do business in the county when the ammunition so purchased is expended on the premises of the range and not removed for use outside the range premises.

Section 6.58.080 Penalties.

(a) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this section is committed, continued or permitted by such person.

The Marin County district attorney is designated as the prosecuting agency for violations of this section.

(b) Any person found to be in violation of this chapter shall be subject to the revocation of his or her law enforcement permit to sell, lease or transfer firearms.

(c) In addition to any other penalty or remedy, the county counsel may commence a civil action to seek enforcement of these provisions.

Section 6.58.090

This chapter shall be enforced to the full extent of the authority of the county of Marin. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the county, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this chapter, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this chapter shall be deemed severable.

Mendocino County Code of Ordinances

Codified through Ordinance No. 4414, adopted July 24, 2018. (Supp. No. 53)

Title 6 Business Licenses and Regulations
Chapter 6.04 Business Licenses

Section 6.04.080 Special Requirements.

(i) Licensed Firearms Dealers. To lawfully engage in the business of selling, leasing, or transferring firearms, a firearms dealer must possess the following: (1) Valid federal firearms license issued by the Bureau of Alcohol, Tobacco, and Firearms (2) Valid seller's permit issued by the State Board of Equalization (3) Valid certificate of eligibility issued by the Department of Justice. Per Penal Code Section 12071, the Tax Collector must verify the firearms dealer is in compliance prior to the issuance of the business license.

Mendota Code of Ordinances

Codified through Ordinance No. 18-02, passed July 24, 2017. (Supp. No. 17)

Title 17 Zoning
Chapter 17.86 Home Occupations

Section 17.86.040 Prohibited home occupations.

The following uses shall not be permitted as home occupations:

E. Firearms or ammunition dealers;

Menlo Park Code of Ordinances

Codified through Ordinance No. 1046, passed June 5, 2018

Title 16 Zoning
Chapter 16.78 Special Uses

Section 16.78.010 Generally.

All of the uses listed in this chapter, and all matters directly related thereto are declared to be uses possessing characteristics of such unique and special form as to make impractical their inclusion in any class or use set forth in the various districts herein defined, and therefore the authority for and location of the operation of any of the uses designated herein shall be subject to the issuance of a use permit in accordance with the provision of Chapter 16.82.

16.78.030 Uses designated.

The uses referred to in this chapter are as follows:

(17) Retail sale or wholesale of firearms, cannons, guns, pistols, revolvers, rifles, air guns, BB guns or pellet guns or any instruments of any kind, character or description which throw or project bullets or missiles of any kind to any distance by

means of elastic force, air or any explosive substance; ammunition or any projectiles that can be projected or propelled; and related merchandise, except within one hundred fifty feet (150') of residential zoning districts.

Merced Code of Ordinances
Codified through Ordinance No. 1412, passed December 6, 2017. (Supp. No. 16)

Title 5 Business Licenses and Regulations
Chapter 5.12 Sale of Weapons

Section 5.12.010 License, Required.

In addition to any other business license or fees required by this title, every person proposing to engage in the business of selling at retail within the city, pistols, revolvers or other firearms capable of being concealed upon the person, shall apply for a license to conduct the business, and shall pay the application fee therefor as established by ordinance or resolution. The chief of police shall investigate or cause to be investigated the suitability of the premises on which said business is to be conducted, and the character and fitness of the person proposing to conduct the business and of each partner, associate or employee of said person, if such partner, associate or employee is to be authorized to sell such firearms at retail. The chief of police may issue such license if, in his judgment, considering the suitability of the premises and the character and fitness of each person who is to be authorized to sell such firearms, the public safety and welfare will not be adversely affected.

Section 5.12.020 License, Application.

The chief of police may prepare, use and modify such application forms and other documents as are reasonably necessary to provide information for such investigation. The application fee in such amount as is determined by the city council shall be paid to the chief of police and transmitted by him to the finance officer. Such application fee shall not be refundable in the event that the license is not granted.

Section 5.12.030 License, Form prescribed by state.

Any license granted pursuant to this chapter shall be in the form prescribed by the Attorney General of the state, and shall conform to the requirements of Section 12071 of the Penal Code of the state, as the same may be from time to time amended.

Merced County Code of Ordinances
Codified through Ordinance No. 1966 and the December 2018 code supplement.

Title 5 Revenue and Finance
Chapter 5.44 Sheriff's Fees

Section 5.44.020 General fees.

Pursuant to the authority of Government Code Sections 26720 through 26751, Government Code Section 54985, and other provisions of law specified below, the following fees will be charged at the time the service is provided:

25. License to sell firearms: pursuant to the provisions of Section 12071 of the California Penal Code, the sheriff may grant a license permitting the sale of firearms. The fee for such license application, renewal or modification shall be $50.00 plus any fees required by the Department of Justice and/or state of California.

Millbrae Code of Ordinances
Codified through Ordinance No. 772, passed July 30, 2018.

Title 5 Public Welfare, Morals and Conduct
Chapter 5.55 Sale of Firearms

Section 5.55.010 License required.

A. Within the city, no person shall engage in the business of selling, transferring, advertising, offering or exposing for sale any pistol, revolver or other firearm capable of being concealed upon the person, unless that person has been issued a license as provided in this chapter.

B. The license requirement shall apply only to persons who are engaged in the business of selling, transferring, advertising, offering or exposing for sale concealable weapons. The question as to whether the person is "engaged in business" shall be resolved in light of the facts of each particular case. It is not intended that a license shall be required of a person, such as a hunter licensed by the state or a gun collector licensed by the federal government, who infrequently transfers a concealable weapon.

C. This chapter shall be interpreted in accordance with Part 4, Title 2, Chapter 1, Article 4 (commencing with Section 12070) of the Penal Code of California.

Section 5.55.020 Application for license.

Written applications for a license under this chapter shall be filed with the chief of police upon forms to be provided.

Section 5.55.030 Investigation.

A. Upon receipt of an application for a license under this chapter, the chief of police shall investigate the facts connected with the application and shall not approve of the application if:

1. The applicant is not of good moral character; or

2. The sale of firearms by the applicant would constitute a violation of any state law or provision of this code.

B. The chief of police shall also submit the application to the office of the city manager, who shall not approve of the application if the proposed location of the business is not in compliance with the Millbrae zoning ordinance.

Section 5.55.040 Issuance of license – Fee.

If the application is approved by the chief of police and the office of the city manager, a license shall be issued in the form required by the attorney general. A fee in an amount to be established by a resolution of the city council shall be paid at the time of issuance of the license, for each place of business.

Section 5.55.050 Conditions.

The license shall be subject to the conditions contained in Section 12071 of the Penal Code of California, and the conditions contained in this chapter.

Section 5.55.060 Licenses not transferable.

A license conferred under this chapter shall not be transferable, either as to the licensee or the location of the business.

Section 5.55.070 Expiration of license – Renewal.

A license issued under this chapter shall expire at the end of one year, but may be renewed by the holder for the period of one year upon payment of the fee specified in MMC 5.55.040, and upon submission of a written renewal application on forms to be provided.

Chapter 5.125 Fireworks, Model Rockets, Firecrackers, or Similar Explosives

Section 5.125.020 Possession – Prohibition – Responsibility for minors.

Except as otherwise provided in this chapter, no parent, guardian or person having the care, custody and control of any minor shall permit such minor to have in his possession within this city, or to fire or discharge, or cause to be fired or discharged within the city, any firearms, fireworks or explosives as specified in this chapter.

Title 10 Planning and Zoning
Chapter 10.05 Zoning
Article II Definitions

Section 10.05.0200 Definitions.

Definitions of key terms are set forth in this section in alphabetical order and are applicable throughout this title. A word that is underlined indicates that the word is defined elsewhere in this section.

"Gun shop" means an establishment that engages in advertising, selling, transferring, or exposing for sale any weapons such as pistols, revolvers, rifles, or other firearms and is licensed in accordance with Chapter 5.55 MMC and state law as a firearms dealer.

Article III Zoning Districts and Map

Section 10.05.0300 Establishment and designation of districts.

The city is divided into zoning districts which are designated as follows:

A. Single-family large lot or "R-1LL" district;

B. Single-family residential or "R-1" district;

C. Duplex/triplex residential or "R-2" district;

D. Multifamily residential or "R-3" district;

E. Commercial or "C" district;

F. Downtown improvement area or "DIA" district;

G. Industrial or "I" district;

H. Open space or "OS" district;

I. Public facilities or "PF" district;

J. Planned development or "PD" district;

K. Millbrae Station Area Planned Development or "MSAPD" district;

L. Grand Boulevard Planned Development or "GBPD" district.

Article IV District Regulations

Section 10.05.0410 Land use table.

The following uses listed in the land use table detail the permitted, conditional, or accessory uses allowed within each zoning district in the city.

Table 1 – Land Uses by Zoning District

Zoning Districts														
							DIA – Article XI.							
Land Use Categories	Specific Land Uses	R-1LL – Article V.	R-1 – Article VI.	R-2 – Article VII.	R-3 – Article VIII.	C – Article X.	Primary Frontages	Secondary Frontages	I – Article XII.	PF – Article XIII.	OS – Article XIV.	PD – Article XV.	GBPD – Article XVI.	MSAPD – Article XVII.
Key: P = Permitted by right; C = Conditional use permit required; PP = Permitted by other permit; * = Allowed as specified in the development plan individually approved for each project														
Other Land Use Categories														
Adult-Oriented	Gun Shops					C						*		

Mission Viejo Code of Ordinances

Codified through Ordinance No. 17-326, enacted October 10 2017. (Supp. No. 38)

Title 5 Business Regulations
Chapter 5.01 General

Section 5.01.020 Licenses required.

It shall be unlawful for any person to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the city without first having obtained a license therefor in accordance with chapter 5.02 of this title:

(6) Retail sale of concealable firearms.

Chapter 5.03 Specific Additional License Requirements and Business Regulations
Division 12 Retail Sale of Concealable Firearms

Section 5.03.1210 Licensing of retail sellers of concealable weapons.

The chief of police is hereby designated as the licensing authority for the city and is authorized to issue licenses therefor pursuant to Penal Code 12070 et seq., as such article exists or may be amended from time to time for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Title 9 Land Use/Zoning/Subdivision Regulations
Chapter 9.10 Residential Zones

Section 9.10.020. Zoning district development standards.

(5) Home occupations.

b. Prohibited home occupation uses. The following list presents example uses that are not incidental to or compatible with residential activities, and are therefore prohibited:

(viii) Gun/rifle shop.

Chapter 9.11 Commercial/Office Zones

Section 9.11.005 Purpose.

(b) The purpose of the individual commercial zoning districts is as follows:

(1) CN (Commercial Neighborhood) Zone. This zone is intended to provide for small-scale business activities which generally offer retailing or service-oriented uses serving the needs of neighborhood residents, while remaining compatible with adjoining residential neighborhoods.

(2) CC (Commercial Community) Zone. This zone is intended to provide for retail, professional office, and service-oriented business uses serving a community-wide need under design standards which ensure compatibility and harmony with adjoining residential neighborhoods.

(3) CH (Commercial Highway) Zone. This zone is primarily intended to provide for highway-oriented businesses offering goods and services to a mobile population using major transportation corridors. Additionally, a limited range of uses customarily located in the CN, CC and CR Zone Districts may be permitted.

(5) CR (Commercial Regional) Zone. This zone is intended to provide for large-scale retail and consumer-service business uses serving a large geographic area and population.

(6) OP (Office/Professional) Zone. This zone is intended to provide for office, professional and/or administrative services. Limited small-scale retail/service commercial uses may be allowed when designed to meet the needs of the immediate employment population.

Section 9.11.015 Permitted, planned development permitted, and conditionally permitted uses.

The following list represents those primary uses in the commercial zones which are permitted (P) or subject to a planned development permit (D), conditional use permit (C) or prohibited (X):

(b)	General commercial uses:	CN	CC	CH	CR	OP
(48)	Gun shops	X	X	C	C	X

Monrovia Code of Ordinances

Codified through Ordinance No. 2018-01, passed February 6, 2018. (Supp. No. 29)

Title 17 Zoning

Chapter 17.04 General Provisions

Section 17.04.030 Districts established.

In order to carry out the provisions of this title, the city is hereby divided into the following zones designated as follows:

Commercial/Industrial
CRS - Commercial-Regional/Subregional
RCC - Retail Corridor Commercial
O/RD/LM - Office/Research and Development/Light Manufacturing
M - Manufacturing

Chapter 17.08 Permitted Uses

Section 17.08.010 Uses permitted in each zone.

(E) All other zones. Use types permitted in each zone shall be as shown in the following tables. Designations shall have the following meanings:

Legend:

Blank Means the use is not permitted
"P" Means the use is permitted
"C" Means the use requires a major conditional use permit
"Cm" Means the use requires a minor conditional use permit
"LUE" See the Land Use Element of the General Plan

1. The minor conditional use permit process is not permitted when the subject property is directly adjacent to any residentially zoned property. A major conditional use permit shall be required.

2. All new construction and additions (regardless of use) over 10,000 square feet in area and/or with an occupant load of 30 persons or more shall require a conditional use permit.

3. Any business that operates between the hours of 12:00 a.m. and 6:00 p.m. shall be subject to the provisions of § 17.44.103.

Use	CRS RCC	O/RD/ LM	M
Commercial Uses			
Firearms/ammunition			
Retail	C		C
Wholesale		C	C

Section 17.08.030 Use type explanations.

The following are the use type explanations for the uses set out in § 17.08.010. Also, see § 17.04.080 for additional definitions.

Ammunition. Projectiles with their fuses, propelling charges, and primers fired from guns. Typical uses include retail gun shops, sporting goods stores with incidental guns sales, and wholesale gun dealers.

Firearm. Any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

Montclair Code of Ordinances
Codified through Ordinance No. 17-972, passed January 16, 2018. (Supp. No. 23)

Title 11 Zoning and Development
Division IV Entitlements
Chapter 11.78 Conditional Use Permits

Section 11.78.030 Permitted uses.

In addition to those uses specifically identified in Chapters 11.22 through 11.30 of this Title as requiring a conditional use permit, the Planning Commission may grant a conditional use permit for any use listed in this Section as a permitted use subject to a conditional use permit:

D. Commercial Uses (General Merchandise).

9. Firearms, ammunition and related products as a stand-alone use , retail (C-3, MIP, M-1);

Monte Sereno Code of Ordinances
Codified through Ordinance No. NS-215, enacted April 3, 2018. (Supp. No. 25)

Title 4 Public Safety and Welfare
Chapter 4.14 Assault Weapons

Section 4.14.010 Definitions.

The following terms shall, for purposes of this Chapter, have the meaning ascribed to them in this section.

A. "**Assault weapon**" shall mean and include:

1. All semiautomatic action center fire rifles that accept detachable magazines with a capacity of more than five rounds, including but not limited to the following examples: Uzi semiautomatic assault rifles or carbines, Ingram Mac-II semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, AK-47 semiautomatic assault rifles, AKM-47 semiautomatic assault rifles, all Automat Kalashnikov weapons, Thompson semiautomatic carbines,

2. All semiautomatic shotguns with a magazine capacity of more than six (6) rounds;

3. Any firearm which may be readily converted to an operable assault weapon, as defined in 1. and 2. above; and

4. Any part, or combination of parts, designed or intended to convert a firearm into an assault weapon, or any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

B. As used in this Chapter, "assault weapon" does not include any of the following:

1. Weapons that do not use fixed ammunition, weapons that were in production prior to 1898, manually operated bolt-action weapons, lever-action weapons, slide-action weapons, single-shot weapons, multiple barrel weapons, revolving cylinder weapons with a magazine of five rounds or less, semiautomatic weapons with a fixed magazine capacity of five rounds or less, semiautomatic weapons manufactured prior to 1954, semiautomatic weapons which use exclusively Mannlicher-style clips, and rimfire weapons that employ a tubular magazine;

2. Any short-barreled shotgun, as defined in Subdivision (c) of Section 12020 of the California Penal Code;

3. Any of the above generally and specifically described weapons which is a "machine gun" prohibited by California law (as presently defined and prohibited by Section 12200 of the Penal Code of the State of California); any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the State of California.

4. Any assault weapon which is an antique or relic firearm, or other weapon, specified and subject to all the limitations and requirements in Paragraphs (5), (7), and (8) of Subdivision V of Section 12020 of the California Penal Code;

5. Any assault weapon which has been modified either to render it permanently inoperable or to make it permanently a device no longer defined as an assault weapon.

C. "**Person**" means any individual, corporation, company, association, firm, partnership, club or society.

D. "**Semiautomatic**" means any weapon which fires a single projectile for each single pull of the trigger and which employs a magazine/clip.

E. "**Rifle**" means a weapon, whether or not it is intended to be fired from the shoulder, that is designed or redesigned, made or remade to fire a fixed cartridge and is not a pistol", as defined in Section 12001 et seq. of the California Penal Code.

F. "**Shotgun**" means a weapon, whether or not it is intended to be fired from the shoulder, that is designed or redesigned, made or remade, to fire a fixed shotgun shell.

Section 4.14.020 Possession and sale of assault weapons prohibited.

A. Except as specified in subsections B, C and D herein no person, including but not limited to wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.Any person who sells or possesses any assault weapon in the City of Monte Sereno in violation of this Section is guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this Chapter shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in the County jail for a period of not exceeding six months, or by both such fine and imprisonment.

B. Nothing in this Chapter shall prohibit the acquisition, possession, or disposition by police departments, sheriff's departments, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military forces of this state or the military and naval forces of the United States for use in the discharge of their official duties, nor shall anything in this Chapter prohibit the possession of assault weapons or magazines therefor by any regular, salaried, full-time officer, employees or agents thereof when on duty.and the use of assault weapons is within the scope of their duties.

C. The provisions of this Chapter shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the State of California or Section 2010 of the Fish and Game Code of the State of California.

D. Notwithstanding the provisions of Subsection A:

1. Any person who, prior to April 21, 1989, was legally in possession of a weapon prohibited by this Section or who subsequently obtains title to an assault weapon by bequest or intestate succession shall within thirty (30) days remove said assault weapon from within the incorporated area of the City of Monte Sereno, or transfer title and possession of the weapon to a dealer licensed pursuant to Article 4 of the State of (California Penal Code commencing at Section 12250, or to the City Police;

2. An assault weapon may be possessed by any federal, state, or local historical society, museum or institutional collection which is open to the public, provided any such weapon is properly housed, secured from unauthorized handling and is unloaded;

3. An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use.

Montebello Code of Ordinances

Codified through Ordinance No. 2399, passed September 13, 2018. (Supp. No. 26)

Title 17 Zoning
Chapter 17.59 Home Occupation Permits

Section 17.59.050 Operation standards.

A. Home occupations, governed by subsection B below, are permitted, provided that:

11. Guns and ammunition shall not be sold as part of a home occupation except that a home occupation permit for a gunsmith or firearms collector licensed by the Bureau of Alcohol, Tobacco, and Firearms as a gunsmith, or firearm collector shall be allowed.

Monterey County Code of Ordinances

Codified through Ordinance No. 5305, passed July 24, 2018. (Supp. No. 38, Rev.)

Title 7 Business Taxes, Licenses and Regulations
Chapter 7.70 Licensing of the Sale of Concealed Weapons

Section 7.70.020 Intent and purpose.

The intent and purpose of this Chapter is to prohibit the sale of a concealed weapon capable of being concealed by any person within the unincorporated areas of the County of Monterey without a license issued by the Sheriff of Monterey County. The Board of Supervisors has found that the proper sale, registration and licensing of concealed weapons is a law enforcement function which will aid the community. In this purpose, the Sheriff of Monterey County would maintain the licensing authority for the sale and carrying of any concealed weapon.

Section 7.70.030 Definitions.

As used in this Chapter, the following words, phrases, or terms shall have the meanings set forth in this Section:

A. "**Handgun Dealer**." Any person engaged in the business of: (a) selling or renting handguns at wholesale or retail; (b) manufacture of handguns; or (c) repairing handguns or making or fitting special barrels or trigger mechanisms to handguns; (d) a holder of a Federal Firearms license.

B. "**Handgun**." Any weapon which constitutes a "pistol", "revolver" or "firearm capable of being concealed on the person." Also applies to and includes any device, designed to be used as a weapon, from which is expelled a projectile by the force of any explosion or other form of combustion, and which has a barrel less than twelve (12) inches in length. The frame is the basic unit of a handgun which serves as a mounting for the barrel and operating parts of the gun. The receiver is the metal frame in which the action of a firearm is fitted and to which the breech end of the barrel is attached.

Section 7.70.040 License, Required.

A. Except as provided by this Chapter, it is unlawful in the unincorporated areas of Monterey County for any handgun dealer to sell any weapon capable of being concealed without procuring from the Sheriff a license for such purpose. The Sheriff is designated as agent of the Board of Supervisors for the purpose of issuing licenses for the sale of weapons capable of being concealed.

B. This Section shall not apply to:

1. Firearms owned or under the direct control or custody of any Federal, State or local governmental authority maintained in the course of its official duties, including United States Armed Forces personnel maintained in their official capacity.

2. Duty-related firearms owned and possessed by peace officers who are not residents of the County or who are the residents of incorporated cities.

3. Duty-related firearms owned or possessed by correction officers.

4. Firearms owned, manufactured or processed by licensed manufacturers of firearms, bulk transporters or licensed sellers of firearms at wholesale or retail.

Section 7.70.050 License, Application.

Any person or business holding a Federal firearms license who makes application for the sale of a weapon capable of being concealed shall file with the Sheriff a sworn application on a form to be furnished by the Sheriff, which shall give the following information:

A. , social security number, residential and business address and telephone number of the applicant;

B. The applicants age, sex, citizenship;

C. The applicants State firearm owners identification number;

D. A statement as to whether or not the applicant has been arrested and, if so, the complete record of such arrest or arrests excepting minor traffic violations, the time when, the place when, the nature of the offense, and the punishment or penalty, if any, assessed therefor;

E. Such other information as the Sheriff shall find reasonably necessary to effectuate the purpose of this ordinance and to arrive at a fair determination whether the terms of this ordinance have been complied with.

F. The Sheriff shall be the custodian of all applications for licensing of concealed weapons and the sale of concealed weapons under this ordinance.

G. When necessary to establish the identity of any applicant, such applicant shall be required to submit to fingerprinting in accordance with the procedures and regulations of the Sheriff's Office.

Section 7.70.060 License, Investigation.

A. Upon receipt of the application provided for in Section 7.70.050 in duplicate, the Sheriff of the County of Monterey shall cause such investigation of the applicants business and moral character to be made as he or she deems necessary for the protection of the public good.

B. If, as a result of the investigation, the applicants character and business responsibility is found to be unsatisfactory, the Sheriff shall endorse on the application his or her disapproval and his or her reasons for the same, and shall notify the applicant that his or her application was disapproved and that no license will be issued.

C. If, as a result of the investigation, the character and business responsibility of the applicant are found to be satisfactory, the Sheriff shall endorse on the application his or her approval, and return the application to the applicant, who, upon payment of license fees prescribed by this Chapter, shall issue and deliver to the applicant a serially numbered license.

The license shall contain the signature of the Sheriff or deputy thereof, the date of the issuance, and the length of time the same shall be operative. If the licensee is other than self employed, the name and address, both permanent and temporary, of the firm, person, corporation or association, by which he or she is employed, which he or she represents shall also be listed on the application. The Sheriff shall keep a record of all licenses issued.

D. If the Sheriff does not either approve or disapprove the application as provided in this Section within forty-five (45) days of his or her receipt of the application, he or she shall forthwith report in duplicate his or her reasons for delay to the applicant. The applicant shall thereupon have the right to appeal to the Board of Supervisors as provided in Section 7.70.090.

E. Any business engaged in the sale of concealed weapons and weapons capable of being concealed is not to be located within any area of the County which is wholly residential; or if the business location is adjacent to a residential area and, in the opinion of the Sheriff, the operation of this business in such location would tend to cause a public nuisance or law enforcement problem.

F. Any business engaged in the sale of concealed weapons and weapons capable of being concealed is not to be located within two thousand (2,000) feet of a public school, church, hospital, childrens' playground, or any other public facility where the presence of the business might tend to cause a law enforcement problem, or create a public nuisance, or where the granting of the license would be contrary to the public interest.

G. Any business engaged in the sale of concealed weapons and weapons capable of being concealed is not to be located in an area not zoned for such activities as determined by the appropriate planning administrator or commission.

Section 7.70.070 License fee and license.

A. A license fee shall be paid as set forth by resolution of the Board of Supervisors for the sale of weapons capable of being concealed.

B. The license fee shall be paid on a yearly fiscal basis.

C. The fee shall be paid to the County Treasurer in advance for each fiscal year commencing on July 1st.

D. The license fee shall be due and payable at least fifteen (15) days prior to the commencement of the fiscal year. A penalty equal to ten (10) percent of the current license fee shall be imposed in those cases where the fee is not paid within sixty (60) days of the due date, the license shall be revoked and the sale of the concealed weapon will be prosecuted under the provisions of Penal Code Sections 12070 and 12071.

E. The license for the sale of any weapon capable of being concealed shall be valid for the fiscal year or portion thereof in which issued, commencing July 1st of that year and ending June 30th.

F. Any application for a license or renewal shall be held in abeyance when there is a criminal proceeding for a crime of violence or any offense involving a weapon, or a proceeding to revoke a firearm registration, pending against the applicant until such proceeding has terminated. In the case of a renewal of registration of a license, the then current license shall be deemed continuing until the termination of such proceeding.

G. Upon receipt of a license, each applicant shall examine the same to insure that the information thereon is correct. If the license is incorrect in any respect, the applicant thereon shall return it to the Sheriff with a signed statement showing the nature of the error. The Sheriff shall correct the error, if it occurred through administrative error. In the event that the error resulted from incorrect information contained in the application, the applicant shall be required to file an amended application setting forth the correct information and a statement explaining the error in the original application.

H. Each license authorized to be issued by the Sheriff shall be accompanied by a statement setting forth the applicants duties under this Chapter.

Section 7.70.080 Renewal of license.

A. Every holder of a license for the sale of any weapon capable of being concealed shall apply for renewal of such license within forty-five (45) days prior to the expiration of the current license date.

B. The application for renewal shall include the payment of a renewal fee as set forth by resolution of the Board of Supervisors.

C. For the purposes of clarification, the license fee set forth in this Section is for regulation purposes to reimburse the County for its costs in regulating the sale of weapons capable of being concealed and not for revenue purposes.

Section 7.70.090 Appeal procedure.

A. Any applicant dissatisfied with the action of the Sheriff in either failing to approve or disapprove an application within forty-five (45) days or in disapproving an application shall have the right of appeal to the Board of Supervisors.

B. An appeal from the action of the Sheriff in disapproving an application shall be taken by filing with the Clerk of the Board of Supervisors, within ten (10) days after notice of the disapproval has been mailed to the applicant at the address shown on the application, a written statement setting forth fully the grounds for appeal.

C. The appeal provided for in Subsection B of this Section shall be taken by filing with the Board of Supervisors within ten (10) days after notice of the action complained of has been mailed to the applicant at the address shown on the application, a written statement setting forth fully the grounds for the appeal. The Board of Supervisors shall set a time for hearing such appeal and written notice of the hearing shall be given to the applicant at least five days prior to the hearing. Upon failure to file the notice within a ten (10) day period, the action of the Sheriff in denying the license shall be final and conclusive.

D. The Board of Supervisors shall either affirm or reverse the action of the Sheriff. Should the Board of Supervisors reverse the action of the Sheriff, notice of the reversal shall be given to the Sheriff, who shall, upon payment of the required fee, issue the license.

Section 7.70.100 Notices.

A. For the purposes of this Chapter, service of any notice, finding or decision, to the applicant or licensee shall be completed by any of the following methods:

1. Personal delivery of a copy of such notice, finding or decision to the applicant or licensee; or

2. By leaving a copy of such notice, finding or decision at the address identified on the application for license renewal; or

3. By mailing a copy of the notice, finding or decision by certified mail with return receipt of the address identified on the application for license for renewal; which day service shall be complete as the date the return receipt was signed by any person.

Section 7.70.110 License, Duplicate.

In the event any license issued under this Chapter is lost, destroyed or mutilated, the person to whom the license was issued may obtain a duplicate thereof upon the payment of a fee as established by resolution of the Board of Supervisors and by furnishing two photographs of the licensee taken within sixty (60) days immediately prior to the date of application, which photographs conform to the requirements of Section 7.70.050, and furnishing satisfactory proof of loss, destruction or mutilation to the Sheriff.

Section 7.70.130

The provisions of this Chapter are severable, and if any part of this Chapter shall be found to be invalid, such invalidity shall not effect remaining provisions.

Monterey Park Code of Ordinances
Codified through Ordinance No. 2157 and the November 2018 code supplement.

Title 9 Peace, Safety and Morals
Chapter 9.84 Weapons

Section 9.84.010 Possession—By minor.

No person shall give, sell or loan to any person under the age of eighteen years, any firearm, spring gun, air rifle, sling shot or ammunition.

Section 9.84.020 Possession—Prohibited.

No person under the age of eighteen years, shall use or have in his possession any firearm, spring gun, air rifle, sling shot or ammunition within the city.

Title 21 Zoning
Chapter 21.04 Definitions

Section 21.04.452 Gunsmith or Armorer.

"Gunsmith" means a person who repairs, modifies, designs, or builds firearms. A gunsmith does factory level repairs, renovation (such as applying metal finishes), and makes modifications and alterations for special uses. Gunsmiths may also apply carvings, engravings and other decorative features to an otherwise finished gun. This occupation is different from an armorer. The armorer primarily maintains (disassembly, cleaning) weapons and limited repairs involving parts replacement and possibly work involving modifications to make the weapon more accurate. For the purposes of this Zoning Code, "gunsmith" will be considered to include "armorer."

Chapter 21.10 Commercial Zones

Section 21.02.210 Zone Designations.

N-S	Neighborhood Shopping Center Zone	R-S	Regional Specialty Center Zone
S-C	Shopping Center Zone	C-S	Commercial Services Zone
C-B	Central Business Zone	C-P	Commercial-Professional Zone

Section 21.10.030 Land Use Regulations.

Table 21.10(A)
Permitted Uses in Commercial Zones

Legend:

P Permitted
X Expressly prohibited

Land Uses						
Service Business	N-S	S-C	C-B	R-S	C-S	C-P
Gunsmith	X	X	P	P	P	X

Moorpark Code of Ordinances

Codified through Ordinance No. 18-466 and the December 2018 code supplement.

Title 9 Public Peace, Morals and Welfare
Chapter 9.24 Weapons

Section 9.24.030 Discharge of firearms—Minors.

B. No minor shall possess in any public place any gun, rifle or pistol as described in Sections 9.24.010 and 9.24.020 of this chapter, except as follows:

1. When such minor is in the immediate charge and supervision of a parent, guardian, or adult person having the responsibility for the conduct of such minor, regardless of whether the gun, rifle or pistol is capable of being immediately discharged or whether it is unloaded or in a dismantled or take-down condition or completely wrapped or in a carrying case made for the purposes of carrying such firearm;

Moraga Code of Ordinances

Codified through Ordinance No. 277, passed April 25, 2018. (Supp. No. 17)

Title 8 Planning and Zoning
Chapter 8.50 Planned Development-Commercial (PD-C)

Section 8.50.020 Definitions.

The following definitions shall apply to this chapter:

"Firearm store" means a retail store or wholesale business that derives its principal income from buying and selling firearms, with or without sale of ammunition and/or firearms accessories.

Section 8.50.060 PD-C standards.

A. The PD-C plan shall include a list of prohibited uses. At a minimum, the list shall include the following uses as prohibited within any PD-C district:

6. Firearms stores

Title 9 Public Peace and Welfare
Chapter 9.12 Storage of Firearms

Section 9.12.010 Definitions.

The following words and phrases when used in this chapter, shall have the following meanings:

A. "Residence" refers to any structure intended or used for human habitation including, but not limited to a house, condominium, room, accessory dwelling unit, trailer coach or house car that is parked and being used as a residence, motel, hotel, time-share, and other locations where human habitation occurs.

B. "Locked container" refers to a secure container that is fully enclosed and locked by a padlock, biometric lock, key lock, combination lock, or similar locking device, as defined in Penal Code Section 16850, as may be amended from time to time.

C. "Firearm" refers to any rifle, shotgun, revolver, pistol, or any other device designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of any explosion or other form of combustion, as defined in Penal Code section 16520(a), as may be amended from time to time.

D. "Gun lock" refers to a cable or trigger lock that is listed in the California Department of Justice's roster of approved firearms safety devices, as defined in California Penal Code section 16540, as may be amended from time to time, and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device.

E. "Immediate control" means within close enough proximity and control that the owner or other lawfully authorized user of the firearm can readily retrieve and use the firearm as if carried on the person.

Section 9.12.020 Regulation of firearm storage.

No person shall keep any firearm within a residence owned or controlled by that person unless the firearm is stored in a locked container or disabled with a gun lock that has been approved by the California Department of Justice.

Section 9.12.030 Exceptions to firearm storage regulation.

The firearm storage regulations set forth in this chapter shall not apply in the following circumstances:

A. The firearm is carried on the person of, or is in the immediate control of, an individual, in accordance with any and all applicable local, state or federal laws.

B. The firearm is under the control of a person who is a peace officer, either active duty or honorably retired, pursuant to California Penal Code 830 et seq.

Section 9.12.040 Penalty for failing to properly store firearms in residence.

A. Penalty. A first violation of any provision of this chapter shall constitute an infraction. Any subsequent violation shall constitute a misdemeanor.

B. Fines. A first violation of this chapter shall be punishable by a fine of two hundred fifty dollars ($250.00). A second or subsequent violation of this chapter is a misdemeanor and shall be punishable by a fine of one thousand dollars ($1,000.00).

C. Other Enforcement Remedies. No provision of this chapter is intended to supersede or supplant any state law and a violation of this chapter may be subject to any other civil or criminal procedures and fines as provided by state or federal law.

Moreno Valley Code of Ordinances
Codified through Ordinance No. 918 and the February 2017 code supplement.

Title 9 Planning and Zoning
Chapter 9.02Permits and Approvals

Section 9.02.130 Home occupation permits.

E. Prohibited Home Occupation Uses. The following uses, either by operation or nature, are not considered to be incidental to or compatible with residential activities and therefore shall not be permitted as home occupations:

3. The sale, use or manufacture of ammunition, explosives or fireworks;

Chapter 9.07 Special Districts
Article I Special Districts in General

Section 9.07.040 Medical use overlay district (MUO).

D. Development Standards.

2. For property with underlying zoning of neighborhood commercial and community commercial, the permitted uses of the underlying zoning shall apply with the following exceptions:

n. Gun shops;

Morgan Hill Code of Ordinances
Codified through Ordinance No. 2276, enacted May 2, 2018. (Supp. No. 54)

Title 9 Public Peace, Morals and Welfare
Chapter 9.04 Weapons

Section 9.04.020 Storage of firearms by licensed dealers, Posting of regulations.

A. Pursuant to California Penal Code Section 12071(b)(14), any time a licensed dealer of firearms is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

1. Store the firearm in a secure facility that is part of, or that constitutes, the licensee's business premises;

2. Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearms from the premises;

3. Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

B. Subsection A of this section shall not apply to a licensee organized as a nonprofit public benefit or mutual benefit corporation organized pursuant to Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of the Corporations Code, if both of the following conditions are satisfied:

1. The nonprofit public benefit or mutual benefit corporation obtained the dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

2. The firearms are not pistols, revolvers, or other firearms capable of being concealed upon the person.

C. Upon written request from a licensee, the licensing authority may grant an exemption from compliance with the requirements of subsection A of this section if the licensee is unable to comply with those requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the licensee.

D. As used in this section, a "**secure facility**" means a building that meets all of the following specifications:

1. All perimeter doorways shall meet one of the following:

a. A windowless steel security door equipped with a deadbolt and a doorknob lock;

b. A windowed metal door that is equipped with a deadbolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door;

c. A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

2. All windows are covered with steel bars.

3. Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating or an alarm system.

4. Any metal grates have spaces no larger than six inches wide measured in any direction.

5. Any metal screens have spaces no larger than six inches wide measured in any direction.

6. All steel bars shall be no further than six inches apart.

E. As used in this section, "**licensed premises**," "**licensed place of business**," "**licensee's place of business**," or "**licensee's business premises**" means the building designated in the license.

F. Any person or business establishment engaged in the business of offering for sale any instrument or device described in Section 9.04.010 of this chapter shall have posted in a conspicuous place in the place of sale, a copy of this chapter and shall deliver a copy of this chapter to any purchaser of such instrument or device.

Napa Code of Ordinances
Codified through Ordinance No. O2081-011 and the September 2018 code supplement.

Title 17 Zoning
Chapter 17.10 Commercial Districts (CL, CT, CC, DCC, DMU, DN, OBC)

Section 17.10.010 Specific purposes.

The additional purposes of each commercial district follow:

E. Local Commercial (CL).
F. Tourist Commercial (CT).
G. Community Commercial (CC).

Section 17.10.020 Land use regulations.

Table A—Commercial Districts

P=Permitted C = Conditional S = Specific Standards Apply Blank = Not Allowed

Zoning Districts	CL	CT	CC	Added Use Regulations
A. Commercial Uses				
Gun shops			P	

Chapter 17.14 Industrial Districts (IP, IL)

Section 17.14.010 Specific purposes.

D. Industrial Park (IP).
E. Light Industrial (IL).

Section 17.14.020 Land use regulations.

P = Permitted C=Conditional Use Permit or Administrative Permit (see Chapter 17.58)
S = Specific Standards apply Blank = Not Allowed

Zoning Districts	IL	IP-A	IP-B	IP-C	Added Use Regulations
B. Commercial Uses					
9. Retail uses					
Gun shops, gunsmiths	P				

Chapter 17.20 MU-G – Gateway Mixed Use District

Section 17.20.020 Land use regulations.

P = Permitted C = Conditional S = Specific Standards Apply Blank = Not Allowed

Zoning Districts	North of 6th Street	South of 6th Street	Added Use Regulations
A. Commercial Uses			
8. Retail uses			
Gun shops	C	C	

Chapter 17.52.0 Site and Use Regulations

Section 17.52.240 Home occupations.

4. Traffic. The use does not generate customer or client traffic, deliveries by commercial vehicles other than pickup trucks or panel delivery trucks, or clients coming to the residence, except for the following:

> **c.** Sale or transfer of firearms which involve no more than four customer trips per month. Each such sale or transfer shall be limited to not more than two firearms, however, the Community Development Director may authorize the sale or transfer of a larger number of firearms on up to two occasions in any 12-month period after receiving a written request not less than two weeks prior to the special sale or transfer. All firearms shall be stored in compliance with California Penal Code Section 12071(14);

National City Code of Ordinances
Codified through Ordinance No. 2018-2451, passed November 20, 2018. (Supp. No. 51, Update 1)

Title 7 Property Conservation and Community Appearance Code
Chapter 7.21 Garage, Yard and Rummage Sales

Section 7.21.050 Prohibited items.

It is unlawful for any person to exchange, barter, trade or sell at a garage or rummage sale the following items: firearms, ammunition, explosives, animals and livestock, any identifiable goods, and all other items the sale or possession of which may be prohibited by ordinance or resolution duly adopted by the city council of the city or by the laws of the state or county.

Title 10 Public Peace, Morals and Safety
VII Consumer Protection
Chapter 10.57 Swap Meets

Section 10.57.020 Prohibited items.

It is unlawful for any vendor in a swap meet to exchange, barter, trade or sell, the following items of personal property: firearms, ammunition, explosives, animals and livestock, any item of personal property from which the serial number or identifying number has been removed, or any other item of personal property which is prohibited from being exchanged, bartered, traded or sold by ordinance or resolution or any laws of the city, the county, or the state.

Nevada County Code of Ordinances
Codified through Ordinance No. 2453 and the September 2018 code supplement.

Title 2 General Code
Chapter III Business Regulations
Article 14 Firearms Dealers

Section G-III 14.1 Gun Sales or Leases Must Be Through Qualified Dealer

Except as provided in Penal Code Section 12078, no person shall sell, offer for sale, lease or transfer any firearm to another unless he or she is a dealer or the transaction is processed by a dealer pursuant to Penal Code Section 12082.

Section G-III 14.2 Permit Required

No person shall engage in the business of selling, leasing, transferring, advertising, offering, or exposing for sale, lease, or transfer of firearms unless he or she has been issued a firearms dealer's license by the Nevada County Sheriff's Office.

Section G-III 14.3 License Qualifications

Any person over the age of 21 years who desires to become a firearms dealer shall apply to the Sheriff's Office of the County as follows:

A. Applicant shall submit a completed application for a firearms dealer's license.

B. At the time an application for a firearms dealers license is submitted, the applicant must provide the following:

1. A valid federal firearms license.

2. A valid seller's permit issued by the State Board of Equalization.

3. A certificate of eligibility issued by the Department of Justice.

C. Applicant shall be fingerprinted.

D. Applicant must pay an application fee in an amount to be determined by resolution of the Board of Supervisors.

E. Applicant must not be in a class of persons prohibited from possessing firearms by State law.

Section G-III 14.4 License is Subject to Approval

All firearms dealer's licenses shall be subject to approval by the Sheriff or his designee. All applicants who are denied a firearms dealers license shall be informed, in writing, of the reasons for such denial.

Section G-III 14.5 Renewal of License

Any license granted herein shall be valid for one year from the date of issue. Applicant shall pay a license renewal fee to the Sheriff's Department in an amount set by resolution of the Board of Supervisors, if eligible.

Section G-III 14.6 License Subject to Forfeiture

Any license granted herein shall be subject to forfeiture for failing to comply with the following conditions as contained in Penal Code Section 12071:

A. Business shall be carried on in the building designated in the license, unless person is complying with Penal Code Section 12082 as it pertains to a gun show or qualified event.

B. The license or copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

C. No firearm shall be delivered:

1. Prior to a record check and clearance by the Department of Justice pursuant to Penal Code Section 12076;

2. Prior to the expiration of a 10 day waiting period pursuant to Penal Code Section 12071(a)(3)(A);

3. Unless unloaded and securely wrapped or unloaded and in a locked container;

4. Unless the purchaser, transferee, or person being loaned the firearm presents clear evidence of his or her identity and age to the dealer as prescribed by Penal Code Section 12071(c)(1).

5. Whenever the dealer is notified by the Department of Justice that the person is a prohibited class described in Penal Code Sections 12021 or 12021.1 or Welfare and Institutions Code Sections 8100 or 8103.

D. No pistol, revolver or other firearm, or imitation thereof, capable of being concealed upon the person, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

E. Licensee shall agree to and shall act properly in processing transfers of firearms pursuant to Section 12082 of the Penal Code.

F. Licensee shall comply with Sections 12073, 12076, and 12077, and subdivisions (a) and (b) of Section 12072, and subdivision (a) of Section 12316 of the Penal Code.

G. Licensee shall post conspicuously within the licensed premises the warning fully set forth in Government Code Section 12071(b)(7).

H. No pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered unless the purchaser, transferee, or person being loaned the firearm presents to the dealer a basic firearms safety certificate as described in Penal Code Section 12071(c)(2).

I. The licenses shall offer to provide the purchaser or transferee of a firearm, or person being loaned a firearm with a copy of the pamphlet described in Penal Code Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

J. The licensee shall not commit an act of collusion as defined in Penal Code Section 12072.

K. The licensee shall post conspicuously within the licensed premises a detailed list of the charges and fees set forth in Penal Code Section 12071(b)(11). The licensee shall not misstate the amount of fees charged by a governmental agency.

L. The licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to Penal Code Section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city or county where the licensee's business premises are located.

M. The licensee shall, upon the issuance or renewal of a license, submit a copy of the same to the Department of Justice.

N. The licensee shall maintain and make available for inspection during business hours to any peace officer, authorized local law enforcement employee, or Department of Justice employee designated by the Attorney General, upon the presentation of proper identification, a firearms transaction record as prescribed by Penal Code Section 12071(c)(5).

O. On the date of receipt, the licensee shall report to the Department of Justice the acquisition by the licenses of the ownership of a pistol, revolver, or other firearm capable of being concealed upon the person, unless such transaction qualifies under Penal Code Section 12071(b)(18)(B).

P. The licensee shall forward information as required by the Department of Justice, information on any firearm that is not delivered within the time period set forth in Section 178.102(c) of Title 27 of the Code of Federal Regulations.

Section G-III 14.7 Violation

Any person engaging in the business of selling, leasing, transferring, advertising, offering or exposing for sale, lease or transfer of firearms, who does not come within the exceptions contained in Section 12070(b) of the Penal Code and who does not obtain a license pursuant to this Article is guilty of a misdemeanor.

Newark Code of Ordinances

Codified through Ordinance No. 503, passed January 25, 2018. (Supp. No. 16)

Title 17 Zoning
Division III Citywide Regulations
Chapter 17.26 Standards for Specific Uses

Section 17.26.140 Home occupations.

D. Prohibited Home Occupations. The following specific businesses are not permitted as home occupations:

6. Firearm sales;

Division V Terms and Definitions
Chapter 17.46 Definitions

Section 17.46.060 F.

Firearms. Any device designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or other form of combustion.

Newport Beach Code of Ordinances
Codified through Ordinance No. 2018-15, passed September 25, 2018.

Title 5 Business Licenses and Regulations
Chapter 5.80 Retail Sale of Firearms

Section 5.80.010 Duly Constituted Licensing Authority.

The City Manager, or his or her designated representative, is hereby designated as the City's licensing authority and is authorized to issue licenses for the sale of firearms pursuant to the California Penal Code

Section 5.80.020 Definitions.

A. The term **"City Manager"** as used herein shall include any representative designated by the City Manager of the City of Newport Beach pursuant to this chapter.

B. The term **"firearms"** shall mean the same as that term is defined in the California Penal Code.

Section 5.80.030 License Required.

No person shall conduct, engage in or carry on the business of selling, leasing, transferring, advertising, offering or exposing for sale, lease or transfer of firearms unless he or she has obtained a license from the City Manager pursuant to this Code and the California Penal Code and has paid the required licensing fee. The license shall not be transferrable and shall be valid for one year from the date of issue.

Section 5.80.040 Fees.

The City Council shall establish by resolution, and from time to time amend, a schedule of fees sufficient to cover the costs to the City of Newport Beach of administering this ordinance, to be paid upon issuance of a license.

Section 5.80.050 Revocation or Denial of License.

The City Manager may refuse to issue or to renew a license or may revoke or suspend an existing license on any of the following grounds:

A. The applicant or license holder has failed to comply with any of the provisions of the California Penal Code.

B. The applicant or license holder has failed to comply with applicable provisions of the Newport Beach Municipal Code.

C. The applicant or license holder has failed to comply with applicable Federal firearms laws and regulations.

D. The applicant or license holder has made a material false, misleading, or fraudulent statement of fact to the City in the permit application process.

In any such case, the applicant or license holder shall have the right to appeal to the City Council or a member of the City Council may call an item for review in the time and manner set forth in this section.

When the City Manager concludes that grounds for suspension or revocation or refusal to renew a license exists, the City Manager shall serve the applicant or license holder, either personally or by certified mail addressed to the business address of the applicant or license holder, with a notice of intent to suspend or revoke or refuse to renew the license. This notice shall state the reasons for the proposed suspension, revocation, or refusal to renew, the effective date or if no appeal is filed by applicant or license holder, and the right of the applicant or license holder to appeal to the City Council and the decision of the City Manager to suspend, revoke or refuse to renew the license. A member of the City Council, in their official capacity, may call for review any action of the City Manager under this chapter for the purpose of bringing the matter in front of the entire body for review. A call for review shall be filed with the City Clerk on a form provided by the Clerk. The right to appeal to the City Council or call an item for review shall terminate upon the expiration of fifteen (15) days following the personal service or deposit of the notice of intent to suspend or revoke or refuse to renew the license in the United States mail, whichever shall occur first.

The City Council of the City of Newport Beach may preside over the hearing on appeal or, in the alternative, appoint a hearing officer to conduct the hearing, receive relevant evidence and to submit to the City Council findings and recommendations to be considered by the City Council of the City of Newport Beach. The City Council shall preside over a hearing for a call for review. The City Council shall render its decision within forty-five (45) days from the date of the hearing or, in the event that a hearing officer has been appointed, within forty-five (45) days from the date on which the

City Council receives the findings and recommendations of the hearing officer. The decision of the City Council shall be final

Section 5.80.060 Severability.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the chapter. The City Council hereby declares that it would have passed the ordinance codified in this chapter and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Novato Code of Ordinances

Codified through Ordinance No. 1641, passed September 11, 2018. (Supp. No. 17, 7-19)

Chapter XIV Police Regulations

Section 14-14 Concealable Firearms; Sales.

14-14.1 Permit Required. No person shall within the city engage in the business of selling or otherwise transferring any handgun, pistol, revolver or other firearm capable of being concealed upon the person without first having received a revocable permit from the chief of police authorizing such person to make such sales.

Chapter XIX Zoning
Article 2 Zoning Districts, Allowable Land Uses, and Zone-Specific Standards
Division 19.12 Commercial/Industrial Zoning Districts

Section 19.12.030 Commercial/Industrial District Land Uses and Permit Requirements.

Table 2-7 identifies the uses of land allowed by this Zoning Ordinance in the commercial and industrial zoning districts, and the land use permit required to establish each use, in compliance with Section 19.06.030 (Allowable Land Uses and Permit Requirements). In addition to the land use permit required by Table 2-7, special provisions related to certain land uses may apply, and Design Review may also be required for certain uses in compliance with Section 19.42.030 (Design Review). A Building Permit shall be required prior to any construction.

Table 2-7 Allowed Uses and Permit Requirements for Commercial/Industrial Zoning Districts								
P Permitted Use (2) UP Use Permit required (3) — Use not allowed								
	Permit Required by District							
Land Use (1)	BPO	CN	CG	CDR	CDB	CI	LIO	Specific Use Regulations
Retail Uses								
Gun sales	—	—	UP	—	—	UP	—	

Key To Zoning District Symbols

BPO	Business and Professional Office	CDB	Downtown Core Business
CN	Neighborhood Commercial	CI	Commercial/Industrial
CG	General Commercial	LIO	Light Industrial/Office
CDR	Downtown Core Retail		

Article 3 Site Planning and General Development Standards
Division 19.60 Definitions/Glossary

Section 19.60.020 Definitions of Specialized Terms and Phrases.

As used in this Zoning Ordinance, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

Gun Sales. A retail business dealing in firearms and ammunition as a regular course of trade or business.

Oakland Code of Ordinances of

Codified through Ordinance No. 13500, passed July 24, 2018. (Supp. No. 78, 9-18)

Title 5 Business, Taxes & Regulations
Chapter 5.26 Firearms Dealers

Section 5.26.030 Definitions.

The following words and phrases, whenever used in this Chapter, shall be construed as defined in this Section:

"Ammunition" means projectiles, cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof, but shall not include blank cartridges or ammunition that can be used solely in an "antique firearm" as that term is defined in § 921(a)(16) of Title 18 of the United States Code.

"Engaged in the business" means the conduct of a business by the selling, transferring, or leasing of any firearm or ammunition; or the preparation for such conduct of business as evidenced by the securing of applicable federal or State licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm or ammunition, or the selling, transferring, or leasing of firearms or ammunition in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

"Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

"Permit" means a license to sell or transfer firearms or ammunition under this Chapter.

"Permittee" means a person or entity licensed to sell or transfer firearms or ammunition under this Chapter.

"Person" means natural person, association, partnership, firm, or corporation.

Section 5.26.040 Permit required.

It is unlawful for any person, partnership, cooperative, corporation, firm, or association to engage in the business of operating or managing any business which sells, transfers, leases, or offers or advertises for sale, transfer, or lease, any firearm or ammunition without first obtaining a permit from the Chief of Police of the Oakland Police Department.

Section 5.26.040.010 Display of permit.

The permit, or a certified copy of it, shall be displayed in a prominent place on the business premises where it can be easily seen by those entering the premises.

Section 5.26.050 Application, Forms, fees.

An applicant for a permit under this Chapter shall file with the Chief of Police a sworn application in writing, on a form to be furnished by the City. The applicant shall provide all information requested, including proof of compliance with all applicable federal, State, and local laws when required by the Chief of Police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee as set forth in the City municipal license/permit fee schedule. To the extent practicable, the fee amount shall reflect the cost of enforcing the requirements of this Chapter.

Section 5.26.060 Application, Investigation.

The Chief of Police shall conduct an appropriate investigation to determine for the protection of the public safety whether the permit may be issued. The Chief of Police may require additional information of an applicant deemed necessary to complete the investigation.

Section 5.26.070 Application denial.

The Chief of Police shall deny the issuance of a permit, and has the authority to revoke an existing permit, when any of the following conditions exist:

A. The applicant, or an officer, employee, or agent thereof, is under the age of 21 years.

B. The applicant is not licensed as required by all applicable federal, State and local laws.

C. The applicant, or an officer, employee, or agent thereof, has had a similar type permit previously revoked or denied for good cause within the immediately preceding 2 years.

D. The applicant, or an officer, employee, or agent thereof, has made a false or misleading statement of a material fact or omission of a material fact in the application for a permit.

E. The applicant, or an officer, employee, or agent thereof, has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee, or agent thereof, from owning or possessing a firearm or ammunition under applicable federal, State, and local laws;

2. Any offense relating to the manufacturing, sale, possession, use, or registration of any firearm, ammunition or dangerous or deadly weapon;

3. Any offense involving the use of force or violence upon the person of another;

4. Any offense involving theft, fraud, dishonesty, or deceit;

5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read.

F. The applicant, or an officer, employee, or agent thereof, is an unlawful user of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness for a permit under this Chapter.

G. The applicant, or an officer, employee, or agent thereof, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness for a permit under this Chapter.

H. The operation of the business as proposed will not comply with all applicable federal, State, or local laws.

I. The applicant, or an officer, employee, or agent thereof, proposes to operate in the following locations:

1. Within a zoning district in which general retail sales commercial activities are not a permitted or conditional use;

2. Within a zoning district in which residential use is the principal permitted or maintained use, or within 1,000 feet of the exterior limits of any such district;

3. Within 1,000 feet of a public or private day care center or day care home, or within 1,000 feet of any elementary, junior high, or high school whether public or private;

4. On or within 1,500 feet of the exterior limits of any other premises occupied by a dealer in firearms or ammunition, an adult entertainment establishment or a hot tub/sauna establishment.

J. The applicant, or an officer, employee, or agent thereof does not have and or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted.

K. Any ground for denial exists as specified in this Code.

Section 5.26.080 Security.

In order to discourage the theft of firearms or ammunition stored on the premises, any business licensed under this Chapter must adhere to security regulations promulgated by the Chief of Police pursuant to the authority provided by this Chapter. Security measures shall include but not be limited to:

A. The provision of secure locks, windows and doors, storage lockers, adequate lighting, video surveillance and alarm systems installed and maintained by an alarm company operator licensed pursuant to the Alarm Company Act, Business & Professions Code §§ 7590 et seq. with additional requirements as specified by the Chief of Police;

B. Storing of all firearms and ammunition not principally used in handguns on the premises out of the reach of customers in secure, locked facilities, so that access to firearms and ammunition not principally used in handguns shall be controlled by the dealer or employees of the dealer, to the exclusion of all others. Ammunition principally used in handguns shall be stored pursuant to the requirements of Penal Code § 12061 (a)(2).

Section 5.26.090 Permit form.

All permits issued pursuant to this Chapter shall be in the form prescribed by the Attorney General of the State of California.

Section 5.26.100 Permit, Duration, Renewal.

All permits issued pursuant to this Chapter shall expire 1 year after the date of issuance; provided, however, that such permits may be renewed by the Chief of Police for additional periods of 1 year upon the approval of an application for renewal by the Chief of Police and payment of the renewal fee. Such renewal application must be received by the Chief of Police, in completed form, no later than 45 days prior to the expiration of the current permit.

Section 5.26.110 Permit, Assignment.

The assignment or attempt to assign any permit issued pursuant to this Chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 5.26.120 Permit, Conditions.

Any permit issued pursuant to this Chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the Chief of Police. Any permit issued pursuant to this Chapter shall be subject to such additional conditions as the Chief of Police finds are reasonably related to the purpose of this Chapter.

A. The business shall be carried on only in the building located at the street address shown on the license.

B. The permittee shall comply with all federal, State, and local laws relating to the sale of firearms or ammunition.

C. The permittee shall post conspicuously within the licensed premises the following warning in block letters not less than 1 inch in height as per Penal Code § 12071(b)(11):

IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT, YOU MAY BE FINED OR SENT TO PRISON

D. Persons Under the Age of 18 Excluded from Establishments Displaying Firearms. No person who maintains or operates any place of business in which firearms are kept, displayed or offered in any manner, sold, furnished or transferred shall permit the entry into the premises of persons under the age of 18 years, unless all firearms are completely and wholly kept, displayed or offered within a separate room or enclosure to which persons under the age of 18 years are excluded. Each entrance to such a room or enclosure shall be signposted in block letters not less than 1 inch in height to the effect that firearms are kept, displayed or offered in such room or enclosure and that persons under the age of 18 are excluded.

A person who maintains or operates any place of business that openly displays firearms without providing for separate enclosures therefor, must prevent entry into the premises of persons prohibited by age under State law from purchasing firearms. The entrance to the establishment shall be signposted in block letters not less than 1 inch in height to the effect that firearms are kept, displayed or offered on the premises and that persons under the age of 18 are excluded.

The person who maintains or operates any place of business in which firearms are kept, displayed or offered in any manner, sold, furnished or transferred, and his employees, agents, and persons acting under his authority, are each and together separately and jointly responsible for requiring bona fide evidence of identity of persons to prevent the entry of persons not permitted to purchase a firearm under State law by reason of age. Bona fide evidence of identity of the person is a document issued by a federal, State, county, or municipal government, or subdivision or agency therefor, including, but not limited to, a motor vehicle operator's license or an identification card issued to a member of the Armed Forces, which contains the name, date of birth, description, and picture of the person.

E. Persons Under the Age of 21 Excluded from Establishments Displaying Concealable Firearms. No person who maintains or operates any place of business in which concealable firearms are kept, displayed or offered in any manner, sold, furnished or transferred shall permit the entry into the premises of persons under the age of 21 years, unless all concealable firearms and concealable firearms accessories are completely and wholly kept, displayed or offered within a separate room or enclosure to which persons under the age of 21 years are excluded. Each entrance to such a room or enclosure shall be signposted in block letters not less than 1 inch in height to the effect that firearms are kept, displayed or offered in such room or enclosure and that persons under the age of 21 are excluded.

A person who maintains or operates any place of business that openly displays concealable firearms without providing for separate enclosures therefor, must prevent entry into the premises of persons prohibited by age under State law from purchasing concealable firearms. The entrance to the establishment shall be signposted in block letters not less than 1 inch in height to the effect that firearms are kept, displayed or offered on the premises and that persons under the age of 21 are excluded.

The person who maintains or operates any place of business in which concealable firearms are kept, displayed or offered in any manner, sold, furnished or transferred, and his employees, agents, and persons acting under his authority, are each and together separately and jointly responsible for requiring bona fide evidence of identity of persons to prevent the entry of persons not permitted to purchase concealable firearms under State law by reason of age. Bona fide evidence of identity of the person is a document issued by a federal, State, county, or municipal government, or subdivision or agency therefor, including, but not limited to, a motor vehicle operator's license or an identification card issued to a member of the Armed Forces, which contains the name, date of birth, description, and picture of the person.

F. Persons Prohibited from Possessing Firearms and/or Ammunition Excluded from Establishments Displaying Firearms and/or Ammunition. Persons prohibited from possessing or purchasing firearms pursuant to California Penal Code § 12021 and 12021.1 or possessing or purchasing ammunition pursuant to Penal Code § 12316(b), or otherwise prohibited by federal, state or local law from possessing or purchasing firearms, shall not enter into or loiter about any firearms dealership, defined as a place of business in which firearms are openly kept, displayed or offered in any manner, sold, furnished or transferred pursuant to Penal Code § 12070. Each entrance to such an establishment shall be signposted in block letters not less than 1 inch in height to the effect that persons prohibited from possessing firearms pursuant to Penal Code § 12021 are excluded from the premises.

When a firearms dealer displays or offers for sale firearms within a separate room or enclosure that segregates the firearms, and firearms related accessories (including but not limited to, ammunition, ammunition clips, and holsters) from other general merchandise, each entrance to such a separate room or enclosure shall be signposted in block letters not less than 1 inch in height to the effect that persons prohibited from possessing firearms pursuant to Penal Code § 12021 are excluded from entering the separate rooms or enclosures.

Any dealer engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm and/or ammunition within the City who knowingly violates the

provisions of Subsection G., or fails to adhere to the notice provisions of Subsection G., shall be subject to the penalty provisions of this Chapter, including but not limited to suspension and/or revocation of his or her permit to sell firearms.

Any person prohibited from possessing firearms pursuant to Penal Code § 12021 who enters into or loiters about firearms dealership in Oakland that has been properly posted pursuant to this Section is guilty of a misdemeanor.

G. Inventory Reports. Within the first 5 business days of April and October of each year, the permittee shall cause a physical inventory to be taken that includes a listing of each firearm held by the permittee by make, model, and serial number, together with a listing of each firearm the permittee has sold since the last inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is required to be reported pursuant to Penal Code § 12071(b)(13). Immediately upon completion of the inventory, the permittee shall forward a copy of the inventory to the address specified by the Chief of Police, by such means as specified by the Chief of Police. With each copy of the inventory, the permittee shall include an affidavit signed by an authorized agent or employee on behalf of the permittee under penalty of perjury stating that within the first 5 business days of that April or October, as the case may be, the signer personally confirmed the presence of the firearms reported on the inventory. The permittee shall maintain a copy of the inventory on the premises for which the law enforcement permit was issued for a period of not less than 5 years from the date of the inventory and shall make the copy available for inspection by federal, State or local law enforcement upon request.

H. Background Investigation and Verification. Employees, agents or supervisors of the applicant or permittee may not have access to or control over workplace firearms or ammunition until those persons have undergone a law enforcement investigation and background verification process as required by the Chief of Police. A new law enforcement investigation and background verification of such persons must be conducted each time the permittee renews his or her permit, or applies for a new permit. The Chief of Police shall deny the issuance or renewal of a law enforcement permit, or shall revoke an existing permit, if the applicant or permittee allows any employee, agent or supervisor to have access to or control over workplace firearms or ammunition prior to the completion of the law enforcement investigation and background verification of those persons, or if those persons have not undergone the law enforcement investigation and background verification process within the last 365 days.

Section 5.26.130 Permit, Grounds for revocation.

In addition to any provisions constituting grounds for denial shall also constitute grounds for revocation.

Section 5.26.140 Permit, Hearing.

A. Any person whose application for a permit under this Chapter has been denied, or whose permit has been revoked pursuant to the provisions of this Chapter, shall have the right to a hearing before the Chief of Police or a designee prior to final denial or prior to revocation.

B. The Chief of Police shall give the applicant or permittee written notice of the intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the Chief of Police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the permit revoked if a written hearing request is not received within the 10-day period.

C. If the applicant or permittee files a timely hearing request, the Chief of Police shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the Chief of Police whether to deny the application or revoke the permit is final and nonappealable.

Section 5.26.150 Permit, Liability insurance and indemnification.

No permit shall be issued or continued pursuant to this Chapter unless there is in full force and effect a policy of insurance in such form as the City Attorney deems proper, executed by an insurance company approved by the City Attorney whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer or lease, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm. The minimum liability limits shall not be less than $1,000,000 for damage to or destruction of property in any one incident, and $1,000,000 for the death or injury to any 1 person; provided, however, that additional amounts may be required by the City Attorney if deemed necessary.

Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, addressed in care of the Chief of Police, 455 - 7th Street, Oakland, California, 94607, at least 30 days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall name the City, its officers, agents, and employees as additional insureds. Additionally, applicants and permittees shall indemnify, defend, and hold harmless the City, its officers, agents, and employees, from claims arising from the negligence of the applicant or permittee.

No permit shall be issued or continued pursuant to this Chapter unless the applicant agrees to indemnify, defend and hold harmless the City, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind pursuant to the operation of the business, including attorneys fees, arising in any manner out of the negligence or intentional or willful misconduct of the applicant, the applicant's officers, employees, agents and/or supervisors, or if the business is a corporation, partnership or other entity, the officers, directors or partners.

Section 5.26.160 Permit, Authority to inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, and provisions of this Chapter. A police investigator may conduct compliance inspections from time to time during regular business hours to insure conformance to all federal, State, and local law, and all provisions of this Chapter.

Section 5.26.170 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm or ammunition on the effective date of this Chapter shall have a period of 60 days after such effective date to comply with the provisions of this Chapter.

Section 5.26.180 Suspension or revocation of permit.

A. If the dealer violates any federal, State or local county or City law, the Chief of Police may immediately suspend the right of the dealer to sell firearms or ammunition. If the violation results in a criminal charge filed in court by a federal, State, or county District Attorney, such permit to sell firearms or ammunition may be suspended until the case is adjudicated in a court of law. If the person is convicted, such permit must be immediately revoked.

B. Notice of suspension shall be mailed to the person(s) who made application for the permit and shall be delivered to the address listed on the permit.

C. In addition to any other penalty or remedy, the City Attorney shall report any person or entity whose law enforcement permit is suspended or revoked pursuant to this Article to the Bureau of Firearms of the California Department of Justice and the Bureau of Alcohol, Tobacco, Firearms & Explosives within the U.S. Department of Justice.

Section 5.26.190 Severability.

This Chapter shall be enforced to the full extent of the authority of the City. If any section, subsection, paragraph, sentence or word of this Chapter is deemed to be invalid or beyond the authority of the City, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this Chapter, and the applications thereof; and to that end the sections, subsections, paragraphs, sentences and words of this Chapter shall be deemed severable.

Title 9 Public Peace, Morals & Welfare
Chapter 9.20 Ammunition Sales Registration

Section 9.20.030 Definitions.

As used in this Chapter, **"ammunition"** means projectiles, cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, and any component thereof, but shall not include blank cartridges or ammunition that can be used solely in an "antique firearm" as that term is defined in § 921(a)(16) of Title 18 of the United States Code.

As used in this Chapter, **"ammunition principally used in handguns"** means ammunition designed or suited for use in revolvers, pistols or other firearms capable of being concealed upon the person, as that term is defined in Penal Code § 12001(a).

"Vendor" means any individual, person, gun dealer, store, firm or corporation engaged in the business of selling ammunition within the City.

Section 9.20.040 Record of ammunition sales.

The requirements of this Section shall apply to all ammunition sales in Oakland up until February 1, 2011. Effective February 1, 2011, the requirements of this Section shall not apply to the sale or transfer of ammunition that is principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code § 12001(a).

Every vendor who sells ammunition in the City shall maintain a record of ammunition sales as prescribed by this Chapter. The record shall be maintained on the vendor's premises, on forms supplied by, or approved by, the Oakland Police Department (OPD). All ammunition sales must be conducted with the actual purchaser present in a face-to-face transaction. An ammunition purchaser must provide to the vendor and the vendor shall record the following information:

A. The date of the transaction;

B. The purchaser's name, address and date of birth;

C. The purchaser's valid driver's license number or other government issued identification number from a valid photographic I.D. such as a passport;

D. The brand of ammunition purchased;

E. The type and amount of ammunition purchased; and

F. The purchaser's signature and vendor's initials.

G. The thumbprint of the purchaser on the above record.

The information required to be recorded shall be maintained in chronological order by date of sale of the ammunition and shall be retained on the business premises of the vendor for a period not less than 5 years following the date of the recorded sale of the ammunition. In addition, the required information in Subsections A—G above shall be transmitted electronically within 5 business days of sale to OPD by means determined by the Chief of Police.

Federal, State or local law enforcement officers may enter a vendor's premises during regular business hours for the purpose of examining, inspecting or copying records required by this Chapter.

This Section shall not apply if the purchaser is a "peace officer" as that term is defined in Penal Code § 830 et seq., or a federal law enforcement officer or a person licensed as a dealer or collector in firearms pursuant to Chapter 44 (commencing with Sec. 921) of Title 18 of the United States Code and the regulations pursuant thereto.

Section 9.20.050 Violation, Penalty.

It is unlawful for any vendor engaged in the retail sale of ammunition in Oakland to knowingly make a false entry in, or fail to make appropriate entry, or fail to properly maintain any such record, or refuse to immediately provide the ammunition sales log for inspection to a federal, State or local law enforcement officer upon request.

Violation of any provision of this Chapter shall be a misdemeanor, subject to fines and penalties as provided by law. Additionally, failure to abide by the requirements of this Chapter shall be grounds for the revocation of a vendor's permit, pursuant to Chapter 5.26.

Chapter 9.36 Weapons
Article II Firearms and Weapons Violence Prevention

Section 9.36.131 Theft or loss of firearms, Reporting of stolen and/or lost firearms required.

A. Any person owning a firearm or in possession of a firearm is required to report the theft or loss of such firearm to the Oakland Police Department when:

1. Owner resides in Oakland, AND/OR

2. The theft or loss of the firearm occurs in Oakland.

B. A person subject to the reporting requirements in Subsection A. is required to report the theft or loss of a firearm within 48 hours of when he or she knew or reasonably should have known that the firearm was stolen or lost.

C. A person who has experienced the theft or loss of a firearm between August 1, 1992 and July 30, 2002 and who otherwise meets the reporting requirements in subsection A is required to report the loss or theft of such firearm to the Oakland Police Department within 60 days of the effective date of the Amendment under which this new section was adopted.

Article III Prohibition on the Sale of Saturday Night Specials, Also Known as Junk Guns

Section 9.36.160 Purpose and intent.

The purpose of this article is to ensure the health, safety, and general welfare of city citizens by eliminating the sale of cheaply made, inadequately designed and poorly manufactured handguns in the city.

Section 9.36.170 Saturday Night Special defined.

A. Except as provided in subsection B of this section, term "**Saturday Night Special**" as used in this article means any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in the California Penal Code § 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength;

2. A semi-automatic pistol which:

a. It is not originally equipped by the manufacturer with a locked-breech action, and

b. Is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute,

c. For purpose of subsection (A)(2)(b) of this section, "semi-automatic pistol" means a firearm, as defined in California Penal Code § 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber, (ii) ejects the fired cartridge case, and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" shall not include any assault weapons designated in California Penal Code § 12276;

3. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code § 12001(a), which:

a. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

b. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

c. Is not originally equipped by the manufacturer with a nondetachable trigger guard, or

d. If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame,

e. For purposes of this subsection (A)(3), "action mechanism" means the mechanism of a firearm by which it is loaded, locked, fired and unloaded commonly known as the cycle of operation.

B. Exclusions. The term "Saturday Night Special" does not include any of the following:

1. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code § 12020; or

2. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

3. Children's pop guns or toys; or

4. An "unconventional pistol" as defined in California Penal Code § 12020(c)(12); or

5. Any pistol which has been modified to either: render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday Night Special.

Section 9.36.180 Roster of Saturday Night Specials.

On or before January 1, 1997, the Chief of Police or his or her designee shall compile, publish, and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the Chief of Police or his or her designee determines fit the definition of Saturday night special set forth in § 9.36.170A.

Section 9.36.190 Notification.

A. Upon completion of a list of firearms to be placed on the roster for the first time, the Police Chief or his or her designee shall endeavor to send written notification to:

1. The manufacturer of every firearm on said list; and

2. Every dealer within the city who is licensed to sell and transfer firearms pursuant to § 12071 of the Penal Code of the state of California and Chapter 5.26 of this code.

B. Such notification shall do the following:

1. Identify the model number of the firearm which has been classified as a Saturday night special within the meaning of § 9.36.170A; and

2. Advise the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday night special; and

3. Advise the recipient that the burden of proving a firearm does not constitute a Saturday night special within the meaning of § 9.36.170A shall be on the recipient.

Section 9.36.200 Reconsideration by the Chief of Police.

A. The Chief of Police, or his her designee, shall, prior to the effective date of the ordinance codified in this article establish standards and procedures for the form and content of an application, conducting an administrative hearing and

evaluating evidentiary testimony relating to the decision of the Chief of Police or his or her designee to classify the firearm in question as a Saturday night special as defined in Section 9.36.170A.

B. Upon timely filing of 1 or more complete applications for reconsideration, the Chief of Police or his or her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday night special within the meaning of § 9.36.170A

Section 9.36.210 Appeal of classification.

A. If the Chief of Police or his or her designee determines that the firearm under reconsideration has been properly classified as a Saturday night special, then the applicant(s) shall have the right to appeal such decisions to the City Manager, and the applicant(s) shall have the right to a hearing before the City Manager or his or her designee prior to inclusion of the firearm in question on the roster.

B. The City Manager, or his or her designee, is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police or his or her designee to classify the firearm in question as a Saturday Night Special as defined in § 9.36.170A.

C. The burden of proof shall be on the appellant(s) to demonstrate that the firearm does not constitute a Saturday night special within the meaning of § 9.36.170A.

D. parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

E. The City Manager or his or her designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the City Manager or his or her designee shall, based on the evidence presented, determine whether the firearm constitutes a Saturday night special within the meaning of § 9.36.170A.

F. In all instances, the decision of the City Manager or his or her designee whether to classify the firearm in question as a Saturday night special as defined in the § 9.36.170A and to place said firearm on the roster is final.

Section 9.36.220 Publication of the roster.

The Chief of Police or his or her designee shall place on the roster those firearms which have been determined to constitute a Saturday night special within the meaning of § 9.36.170A. The Chief of Police or his or her designee shall cause the roster to be published in the following manner:

A. Notification of the roster's completion shall be published at least once in the official newspaper as designated by the city and circulated in the city within 15 days after its completion; and

B. A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the City Clerk of the city; and

C. A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the city who is licensed to sell and transfer firearms pursuant to § 12071 of the Penal Code of the state of California and Chapter 5.26 of the municipal code.

Section 9.36.230 Effective date of roster.

The roster shall become effective on the fifteenth day after its publication.

Section 9.36.240 Additions to the roster.

Additions to the roster shall be made in accordance with the following:

A. Semiannual Determination. On a semiannual basis, the Chief of Police or his or her designee shall determine the need to place firearms on the roster. Upon identifying 1 or more firearms as a Saturday night special, the City Manager or his or her designee shall prepare a draft list of the additions to the roster.

B. Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the Chief of Police or his or her designee shall endeavor to send written notification in accordance with the aforementioned provisions of § 9.36.190.

C. Reconsideration by the Chief of Police. Any person who the Chief of Police or his or her designee notifies pursuant to subsection B of this section may apply for reconsideration of the classification of that firearm as a Saturday night special in accordance with the provisions of § 9.36.200.

D. Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday night special after reconsideration, the applicant may file an appeal to the City Manager and the City Manager or his or her designee shall hold a hearing in accordance with the provisions of § 9.36.210.

E. Additions of Firearms to Roster. After all appeals have been exhausted, the Chief of Police or his or her designee shall place on the roster those additional firearms which have been determined to constitute a Saturday night special within the meaning of § 9.36.170A. The Chief of Police or his or her designee shall cause the roster, as amended to include these additional firearms, to be published in accordance with § 9.36.220.

F. Effective Date of Additions to the Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication as set forth in § 9.36.230.

Section 9.36.250 Sale prohibited.

[N]o wholesale or retail firearms dealer as licensed by the city in Chapter 5.26 of the municipal code shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to § 12072(d) of the Penal Code of the state of California.

Section 9.36.260 Exemptions.

Nothing in this article relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this article prohibit the use of any firearm by the above-mentioned persons in the performance of their official duties.

Section 9.36.270 Penalty.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this article shall be punishable by a fine of not more than $1,000 or by imprisonment for a period not exceeding 6 months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punishable accordingly. In addition, any person found to be in violation of this Article shall be considered in noncompliance with the requirements of Chapter 5.26 of this code, and subject to the suspension and or revocation of a firearms dealer permit.

Section 9.36.280 Severability and validity.

This article shall be enforced to the full extent of the authority of the city. If any section, subsection, paragraph, sentence or word of this article is deemed to be invalid or beyond the authority of the city, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this article, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this article shall be deemed severable.

Article V Prohibition on the Sale of Compact Handguns

Section 9.36.420 Definitions.

A. "Dealer" means a retail firearms dealer licensed by the city.

B. "Compact handgun" means a pistol, revolver, and any handgun designed to be concealed upon the person that has a length of 6-3/4 inches or less or a height of 4-1/2 inches or less, measured with the magazine detached.

Section 9.36.430 Prohibition on the sale of compact handguns.

As of the effective date of this article:

A. No firearms dealer in Oakland shall transfer the title of any compact handgun as defined herein to any person. This section shall not preclude a wholesale or retail gun dealer from processing firearms transactions between unlicensed parties pursuant to § 12072(d) of the Penal Code of the state of California.

B. For the purposes of this section, the redemption of a compact handgun covered by this article pledged to a pawnbroker prior to the effective date of this ordinance shall not be deemed the sale or transfer of title of that handgun. However, a dealer may not rely on this exemption unless the transaction involved the redemption of a handgun pawned to a pawnbroker by the purchaser.

C. Each dealer shall post a sign in a conspicuous place with letters at least 1 inch high stating the obligations and restrictions of dealers under this ordinance, pursuant to direction by the Oakland Police Department.

D. The provisions of this section shall not apply to the following:

1. Any law enforcement agency;

2. Any agency duly authorized to perform law enforcement duties;

3. Any state or local correctional facility;

4. Any private security company licensed to do business in the state of California;

5. Any person who is properly identified as a full-time paid peace officer, as defined in § 830.1, 830.2, 830.4, or 830.5 of the Penal Code of the state of California, and who is authorized to carry a firearm during the course and scope of his or her employment as a peace officer;

6. Any antique firearm, as defined in paragraph (16) of subsection (a) of § 921 of Title 18 of the United States Code;

7. Any motion picture, television, or video production company, or entertainment or theatrical company whose production involves the use of an ultracompact firearm, and which secures such from unauthorized use;

8. Any person who is exempt from the provisions of subdivision (d) of § 12072 of the Penal Code of the state of California;

9. Any person or entity conducting a transaction described in subdivision (k) of § 12078 of the Penal Code of the state of California;

10. Any person who is licensed as a collector pursuant to Chapter 44, (commencing with § 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, and who has a current certificate of eligibility issued to him or her by the Department of Justice pursuant to § 12071 of the Penal Code of the state of California;

11. Any person or entity acquiring a compact handgun by bequest or intestate succession.

Section 9.36.440 Penalties.

Violation of this article by a firearms dealer shall subject the dealer to civil penalties as provided for in Chapter 1.8 and 1.12 of the OMC, and in addition shall subject the dealer to suspension or revocation of the dealer's firearms dealer permit. Each instance wherein a compact handgun is sold, conveyed, transferred or distributed in violation of this article shall be deemed a distinct and separate offense.

Chapter 9.37 Unsecured Firearms and Ammunition in Unattended Vehicles

Section 9.37.030 Definitions.

The following terms are defined for use in this chapter.

"Ammunition" has the same meaning as defined by state law. It does not include fixed ammunition of a caliber greater than .60 caliber (California Penal Code 18735) nor "deactivated ammunition" (California Penal Code 30335).

"Firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of any explosion or other form of combustion, as defined by state law.

"Handgun" means a pistol, a revolver, or a firearm capable of being concealed upon the person. A firearm capable of being concealed includes a pistol or revolver, including any device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and that has a barrel less than sixteen (16) inches in length. It includes any device that has a barrel sixteen (16) inches or more in length which is designed to be interchanged with a barrel less than sixteen (16) inches.

"Licensee" is a person with a valid concealed carry weapons license issued by the appropriate law enforcement authorities, as defined in the Penal Code 26150 et seq.

"Locked container" means a lock box that is listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices and that is locked and secured from entry by an unauthorized user.

"Long gun" means any firearm except for a handgun, a machine gun, an assault rifle or a .50 BMG rifle as those terms are defined in state law.

"Person" includes a natural person or a legal entity (association, corporation, etc.) with responsibility for the ownership, use, control, or direction of the vehicle.

"Public place" means a place that is open and accessible to the public, including but not limited to gas stations, public parking lots and garages, driveways, and carports.

"Public right-of-way" means a highway, street, or roadway as those terms are defined in California Vehicle Code 360, 590 and 530 et seq.

"Trunk" means a fully enclosed compartment that is separate from the main cabin of the motor vehicle.

"Unattended" means a vehicle that is parked or standing in the public right-of-way or public place within the City and which is not occupied and/or is outside the immediate control of the person responsible for the vehicle.

"Unsecured" means a handgun, long gun, or ammunition that is not safely stored in a vehicle in accordance with this chapter.

"Vehicle" means a vehicle as defined in California Vehicle Code 670, and a motor vehicle as defined in California Vehicle Code 415.

"Vehicle owner" means the registered owner of the vehicle, Vehicle Code 460.

Section 9.37.040 Unsecured handguns, long guns, and ammunition in unattended vehicles unlawful and prohibited.

A. Handguns.

1. It is unlawful for a person to leave a handgun in an unattended vehicle within the City of Oakland in a public right-of-way or public place unless the handgun is stored in accordance with the safe storage provisions of this chapter.

2. It is unlawful for a licensee to leave a handgun in an unattended vehicle within the City of Oakland in a public right-of-way or public place unless the handgun is stored in accordance with the safe storage provisions of this chapter.

B. Long Guns. It is unlawful for a person to leave a long gun in an unattended vehicle within the City of Oakland in a public right-of-way or public place unless the long gun is stored in accordance with the safe storage provisions of this chapter.

C. Ammunition. It is unlawful for a person to leave ammunition in an unattended vehicle within the City of Oakland in a public right-of-way or public place unless the ammunition is stored in accordance with the safe storage provisions of this chapter.

D. Safe Storage Requirements. Unless exempted by law, firearms and ammunition inside unattended vehicles must be secured as follows:

1. In a lock box; and

2. The lock box must be stored:

(a) In the locked trunk of the vehicle; or

(b) The lock box must be stored inside the vehicle in a place where the lock box cannot be seen from the outside or the lock box must be placed in a container that is permanently attached to the inside of the vehicle; and

3. The key or other disabling device to the lock box is not left in the unattended vehicle.

Section 9.37.050 Public nuisance.

Unsecured firearms and ammunition in unattended vehicles in violation of this chapter constitute a public nuisance subject to abatement, penalties, and remedies provided under this chapter, other provisions of the Oakland Municipal Code, and state or federal law.

Section 9.37.060 Exemptions.

This chapter does not apply to persons authorized by state or federal law to carry or transport firearms or ammunition in vehicles. To the extent there is a conflict between this chapter and state or federal, the more stringent requirements shall govern.

Section 9.37.070 Criminal penalties.

Violations of this chapter constitute misdemeanors punishable by imprisonment in the county jail not exceeding six months, a fine not exceeding one thousand dollars ($1,000.00), or by both. Each violation shall be deemed a distinct and separate offense in accordance with the law.

Section 9.37.080 Civil penalties.

The City may assess civil penalties in accordance with Oakland Municipal Code Chapter 1.08 (Civil Penalties). Alternatively or in conjunction with Chapter 1.08, the City may assess the following penalties for violations of this chapter: (a) one thousand dollars ($1,000.00) for the first violation; (b) two thousand five hundred ($2,500.00) for the second violation; and (c) five thousand dollars ($5,000.00) for the third violation and for each subsequent violation committed within a calendar year.

Section 9.37.090 Authority of City Attorney to bring a court action.

A. The City Attorney may bring a civil action for damages, abatement, injunctive and/or declaratory relief, and to recover City costs as s/he deems appropriate.

B. The City Attorney may bring a civil action to obtain a money judgment against the defendant for any amount of damages that is not ordered or collected by a criminal court, including but not limited to costs, attorney's fees, court costs, and/or other costs incurred in connection with the civil prosecution of any claim for relief, damages or reimbursement.

C. The City Attorney may bring a criminal action for violations of this chapter.

Section 9.37.100 Liability of owner or operator of vehicle.

To the extent permitted by law, the registered owner, the driver, and any other person with control of the vehicle may be subject to civil liability, penalties, and other remedies provided by this chapter and other law, including but not limited to costs, penalties and fines based on negligence.

Section 9.37.110 Remedies not exclusive.

Remedies under this chapter are cumulative and not exclusive. They are in addition to any other administrative, civil, and/or criminal remedies provided by state, federal or other laws contained in the Oakland Municipal Code. The City may seek an order for award of attorney's fees.

Remedies may be recovered by all appropriate legal means including but not limited to criminal prosecution, civil action, nuisance abatement, or lien proceedings.

Concealed carry licensees also may be subject to suspension or revocation of their licenses for violations of this chapter.

Section 9.37.120 Amendments to state laws adopted.

In the event that any California statute adopted or referred to in this chapter is amended or succeeded by another enactment of the California Legislature, such amendments shall be automatically deemed adopted as part of this chapter as if fully set forth herein unless the City Council amends this chapter to provide otherwise.

Section 9.37.130 City Administrator regulations.

The City Administrator directly or through the Oakland Police Department may establish regulations to aid in the administration of this chapter, but the lack of such regulations shall not delay or otherwise impede enforcement of this law.

Chapter 9.39 Safe Storage of Firearms in a Residence

Section 9.39.030 Definitions.

"Firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of any explosion or other form of combustion.

"Residence" means any structure intended or used for human habitation, including but not limited to, houses, condominiums, rooms, motels, and time-shares. For purposes of this chapter, it also includes a garage which is enclosed within or located adjacent to such a structure and which is not open to the public.

"Locked container" means a secure container that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device as defined by California Penal Code Section 16850. It includes a lock box that is listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices. For purposes of this chapter, it does not include a bag or other container made of fabric or other penetrable material, such as a regular purse, backpack, or gym bag.

Section 9.39.040 Safe storage of firearms in a residence required.

Except when carried on his or her person, no person shall keep a firearm (as defined in Penal Code Section 16520 or as amended) in any residence unless the firearm is stored in a locked container, or the firearm is disabled with a trigger lock that is listed on the California Department of Justice's list of approved firearms safety devices.

Section 9.39.050 Penalty.

A violation of this section shall be subject to enforcement through criminal prosecution and/or civil penalties, as provided herein.

1. Violation a Misdemeanor. A person who violates this chapter shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months or by fine not exceeding one thousand dollars ($1,000.00), or by both. Each violation shall be deemed a distinct and separate offense.

2. Civil Penalties. The City may assess civil penalties pursuant to Oakland Municipal Code Chapter 1.08 (Civil Penalties) in the amount of one thousand dollars ($1,000.00) per violation.

Section 9.39.060 Remedies not exclusive.

Remedies under this chapter are cumulative and not exclusive. They are in addition to and do not supersede or limit other administrative, civil, and/or criminal remedies provided under state or federal law, or other provisions of the Oakland Municipal Code. The City may seek an order for the award of attorney's fees.

Section 9.39.070 Amendments to state laws adopted herein.

In the event that any California statute adopted or referred to in this chapter is amended or succeeded by another enactment of the California Legislature, such amendments shall be deemed automatically adopted as part of this chapter as if fully set forth herein unless the City Council amends this chapter to provide otherwise.

Oakley Code of Ordinances

Codified through Ordinance No. 21-18, and legislation passed through December 22, 2018.

Title 4 Public Health, Safety and Welfare Regulations
Chapter 1 Dangerous Materials
Article 2 Weapons

Section 4.1.202 Firearms Possession by Minors.

No minor under the age of 16 years shall possess or use firearms of .22 caliber or greater or air guns except under the direct supervision and control of an adult.

Section 4.1.204 Firearms Discharge Restrictions; Exceptions.

d. Firearms Ammunition Sale to Minors. No person shall sell or give to any minor under the age of 16 years any ammunition capable of being used in any firearm, unless the minor is accompanied by a parent, legal guardian or adult authorized by the parent.

Title 5 Business Regulations
Chapter 11 Firearms Sales

Section 5.11.004 Conditional use permit required.

a. Any person engaged in the business of selling, transferring, leasing or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm must obtain a conditional use permit from the City to do so subject to approval of the City Council.

b. A person shall not be deemed licensed to sell firearms until that person has obtained all Federal and State permits and licenses and a conditional use permit.

Section 5.11.006 Conditional use permit and fee.

The applicant shall apply for a conditional use permit pursuant to Section 9.1.1602(b) of the Oakley Municipal Code. The application shall be accompanied by the nonrefundable fee set forth in the City's master fee schedule.

Section 5.11.008 Security and safety measures.

In addition to the requirements stipulated in this chapter, the applicant must also furnish an outline of the security and safety measures that will be used in the operation of the business. Required measures shall include the following:

a. The facility shall be in compliance with all of the requirements of the City's building code, fire code, and any other technical code or regulation of the City which may govern the use, occupancy, maintenance, construction or design of buildings or structures. The applicant must obtain a final inspection from the City Building Official demonstrating full code compliance before the applicant may commence business at the premises at issue;

b. The doors, windows or other means of entry into the proposed business site shall be furnished with a system which will cause an audible alarm to sound on the exterior of the building, or a silent alarm to a centralized monitored facility signaling unauthorized entry;

c. The applicant must have a method of storage of inventory which is explosive or flammable at the proposed business site shall be in compliance with Federal and State law and with the City's fire code;

These measures shall be subject to review by the Chief of Police or his or her designee, the appropriate fire protection agency, and must be approved by the City Council.

Section 5.11.010 Submittal requirements.

In addition to any submittal requirements set forth in Oakley Municipal Code Section 9.1.1602(d), the applicant shall provide proof of any and all licenses and permits required by Federal or State law for firearms sales.

Section 5.11.012 Review by Chief of Police.

The Chief of Police shall review the application for the conditional use permit and shall provide his or her findings to the City Council for consideration by the City Council as part of its public hearing for the conditional use permit.

Section 5.11.014 Requirements.

The following requirements shall apply to any person, firm or corporation that is granted a conditional use permit for firearms sales:

a. No firearms shall be delivered:

1. Within any waiting period required by Federal or State law;

2. Unless unloaded and securely wrapped or in a locked container which is fully enclosed and securely locked by a padlock or similar locking device as required by State law;

3. Unless the purchaser either is personally known to the applicant or presents clear evidence of his or her identity. Such evidence of identity may include a driver's license, State identification card, an armed forces I.D. card with the purchaser's signature and photograph, or similar documentation providing reasonable assurance of the purchaser's identity. No such documentation shall be accepted, however, unless it contains the purchaser's signature and photograph;

4. If the dealer is notified by the State Department of Justice that a purchaser is in a prohibited class under State law;

b. No pistol, revolver or other firearm capable of being concealed upon the person or imitation thereof, or placard advertising their sale or other transfer, shall be displayed in any part of the premises where it can easily be seen from the outside;

c. The applicant shall agree to properly and promptly process transfers of firearms pursuant to State law;

d. The applicant shall keep a register of sales as required by State law;

e. The applicant shall not sell, deliver or transfer any pistol, revolver, or other firearm capable of being concealed upon the person to any person under twenty-one (21) years of age or any other firearm to any person under eighteen (18) years of age;

f. No pistols, revolvers or firearms capable of being concealed upon a person shall be delivered unless the purchaser or transferee presents to the applicant a basic firearms safety certificate;

g. The applicant shall offer to provide the purchaser or transferee of a firearm with a copy of the pamphlet described in California Penal Code Section 12080 (California Firearms Law) and may add the cost of the pamphlet to the sales price of the firearm;

h. The applicant shall re-apply for a permit from the City if it changes business location and such relocation shall require a new inspection to ensure compliance with Section 5.11.008;

i. The applicant shall maintain records of all employees, identifying them by name, address, date of birth and social security number. The applicant shall notify the City within ten (10) days of any changes in employees and submit the required identification information for each newly hired employee. Failure to comply with these requirements shall be grounds for revocation of the applicant's permit;

j. The applicant shall conduct business only in the building located at the street address shown on the business license. This requirement, however, shall not prohibit the applicant from participating in gun shows or events which are specifically authorized by Federal and State law upon compliance with Federal and State law;

k. The applicant shall comply with all Federal, State and local laws related to firearms sales;

l. All other requirements deemed by the City Council to be necessary and proper to protect the public interest and welfare.

Section 5.11.016 Home occupation permit.

A home-based holder of a valid Federal firearms license, a valid seller's permit issued by the State Board of Equalization, and a valid certificate of eligibility issued by the Department of Justice, all of which were issued prior to June 1, 2011, and who has obtained a home occupation use permit from the City, may continue his/her operation. Home-based firearms sales are prohibited if the above-mentioned licenses, certificates and permits were obtained after June 1, 2011.

Section 5.11.018 Denial of conditional use permit.

A conditional use permit may be denied based on one or more of the following:

a. The applicant, or an officer, employee or agent thereof, is under the age of twenty-one (21) years;

b. The applicant is not licensed as required by all applicable Federal or State laws, or the applicant's inventory does not conform to the type of Federal or State firearms permit issued to the applicant;

c. The applicant, or an officer, employee or agent thereof, has had similar type of permit previously revoked or denied for good cause within the immediately preceding year;

d. The applicant, or an officer, employee or agent thereof, has knowingly made any false or misleading statement of a material fact in the application for a permit;

e. The applicant, or an officer, employee or agent thereof, fails or refuses to provide clear evidence of his or her identity, or any other information required by the Chief of Police to complete his or her investigation;

f. The applicant, or an officer, employee or agent thereof, has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable Federal, State, and local laws,

2. Any offense relating to the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty or deceit,

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the State Health and Safety Code;

g. The applicant, or any officer, employee or agent thereof, is currently an unlawful user of any controlled substance as defined by the State Health and Safety Code, or has been in the past two years, or is an excessive user of alcohol, to the extent that such use would impair his fitness to be a dealer in firearms;

h. The applicant, or any officer, employee or agent thereof, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his/her fitness to be a dealer in firearms;

i. The business facility is in violation of any Federal, State or local ordinances.

The statute of limitations provisions for filing a petition as set forth in Oakley Municipal Code Section 1.8.010 shall apply to any permit that is denied.

Section 5.11.020 Possessory interest.

No application for a conditional use permit shall be processed until the applicant provides proof satisfactory to the Community Development Director that the applicant, officer, employee or agent thereof has a possessory interest in the property at which the proposed business will be conducted.

Section 5.11.022 Site restrictions.

No conditional use permit may be issued for any location which is:

a. Within any residential zoning district or within one hundred fifty (150) feet of the exterior limits of any such district except pursuant to Section 5.11.016;

b. Within any zoning district in which retail services is not a permitted conditional use;

c. Within five hundred (500) feet of the exterior limits of a dealer in firearms, a massage parlor or an adult entertainment establishment;

d. Within one hundred fifty (150) feet of the exterior limits of any premises occupied by a public or private day care center or day care home, elementary school, junior high or high school, whether public or private;

e. Within five hundred (500) feet of any other premises occupied by a firearms dealer as measured from the entry door in a straight line.

Section 5.11.024 Authority to inspect.

Any investigation officials of the City shall have the right to enter the premises for which the use permit was obtained from time to time to make reasonable inspections to observe compliance with Sections 5.11.008 and 5.11.014 of this chapter. A warrant shall be obtained whenever required by law.

Section 5.11.026 Revocation of conditional use permit.

If the Building Official, Chief of Police, or any other person has reason to believe that the applicant is not in full compliance with this chapter, a report shall be made to the City Council by such person. After an investigation of the facts contained in the report, the Community Development Director may commence proceedings to revoke the conditional use permit.

Section 5.11.028 Expiration of conditional use permit.

a. Conditional use permits issued for firearms sales shall expire one year after the date of issuance. Such permits may be renewed by the Chief of Police for additional one-year periods upon the applicant's submission of an application for renewal, accompanied by a nonrefundable renewal fee as required by the City's master fee schedule. The completed

renewal application and the renewal fee must be received by the Chief of Police no later than forty-five (45) days prior to the expiration of the current conditional use permit.

b. The Community Development Director shall inform the Chief of Police when a conditional use permit expires. The Chief of Police shall inform the Community Development Director when a renewal is denied by the Chief of Police. Proceedings to revoke the conditional use permit can be initiated by the Community Development Director for either an expired conditional use permit or when a renewal is denied.

c. A decision by the Chief of Police regarding denial of renewal of the conditional use permit may be appealed to the City Council.

Section 5.11.030 Conditional use permits are nonassignable.

No conditional use permit issued under this chapter shall be sold, transferred or assigned by the person to whom the conditional use permit is issued or by operation of law to any other person or entity. Any such sale, transfer or assignment shall be deemed to constitute a voluntary surrender of such conditional use permit and such conditional use permit shall thereafter be deemed terminated and void.

Section 5.11.032 Insurance requirement.

Each applicant shall be subject to the requirements of this chapter and shall maintain at all times while engaged in said business a policy of public liability insurance. Said policy of insurance shall provide coverage in the amount and to the limits prescribed by the Finance Director. Any such policy of insurance shall contain an endorsement naming the City of Oakley and its employees and agents as additional insureds and further providing that the policy will not be cancelled without providing immediate notice to the City. Failure to obtain and maintain the insurance required herein shall constitute grounds for revocation or suspension of the applicant's conditional use permit.

Section 5.11.034 Violations.

It is unlawful for any person or entity to operate a retail firearms business within the City of Oakley without valid Federal, State and local permits and licenses as set forth by this chapter.

Section 5.11.036 Penalties.

Any person or entity, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter, shall be guilty of an infraction or misdemeanor, as charged by the City Attorney.

Title 9 Land Use Regulations
Chapter 1 Zoning
Article 11 Additional Requirements for Development

Section 9.1.1120 Home Business Permits.

c. Requirements.

ii. The Home-Based Business shall not:

15. Result in the sales of firearms and ammunition.

Oceanside Code of Ordinances
Codified through Ordinance No. 18-OR0479-1, enacted September 19, 2018. (Supp. No. 30)

Chapter 15 Licenses
Article III Concealable Firearms

Section 15.39 Application.

Any person desiring a state license to sell concealable firearms shall make a written application to the business license division, who shall refer the application to the appropriate city departments for investigation as to:

(1) Security of the business premises;

(2) Criminal record or lack thereof of applicant;

(3) Applicant's reputation for honesty and integrity in the community.

The city departments concerned shall complete their investigation and make written recommendation to the business license division within thirty (30) days of the date of the application.

Section 15.40 Issuance-denial.

After considering the recommendations of the city departments, and considering the number of local concealable firearm dealers, the business license division shall issue the license or deny the application. The applicant or any other person requesting the same shall be notified in writing of the decision rendered by the business license division with reference to

such application. Such notice shall be given by U.S. mail, postage prepaid, addressed to such person at his/her last known address.

Section 15.41 Fee.

Each application shall be accompanied by an investigation fee of fifty dollars ($50.00), which shall not be prorated, or refunded, and shall be in addition to the city business license fee.

Section 15.42 Revocation.

Any state license to sell concealable firearms shall be subject to revocation by the business license division for any grounds that would warrant the denial of the issuance of such license in the first instance. Prior to the revocation of any state license to sell concealable firearms, the licensee shall be entitled to a hearing held before the department director or a hearing officer appointed by the city manager, at which time evidence will be received for the purpose of determining whether such state license will be revoked. Notice of such hearing shall be given in writing and served at least fifteen (15) days prior to the date of the hearing thereon. The notice shall state the grounds of the complaint against the holder of such license and shall designate the time and place where such hearing shall be held. Said notice shall be served upon the license holder by delivering the same personally, or by leaving such notice at the place of business or residence of the license holder in the custody of a person of suitable age and discretion. In the event the license holder cannot be found and the service of such notice cannot be otherwise made in a manner herein provided, a copy of the notice shall be sent by first class mail addressed to the license holder at his/her place of business or residence at least fifteen (15) days prior to the date of the hearing.

In the event the state license is revoked, the notification and reasons for such revocation shall be set forth in writing and sent to the licensee by means of first class mail or hand delivery.

Section 15.43 Appeal.

Within twenty (20) days after any action of denial or revocation has been taken by the business license division and any hearing was held as provided for in section 15.42, an aggrieved applicant or former licensee may appeal such action to the City Council of the City of Oceanside. Upon the filing of such request the city clerk shall set a time and place for hearing and shall notify the appellant thereof. The hearing shall be set on a date which is within forty five (45) days of the filing of the request. At the hearing, any person may present evidence in opposition to or in support of the appellant's case. At the conclusion of the hearing the city council shall either grant or deny the appeal, and the decision of the city council shall be final.

Chapter 31B Swap Meets

Section 31B.15 Prohibited articles.

It shall be unlawful for any person to exchange, barter, trade, sell, or give away firearms, explosives, goats, cows, horses, mules, burros, cats, dogs, rodents, reptiles, amphibians, birds, or any other type of animal at a swap meet, or at any adjacent parking lot under the control of the swap meet operator or any roadway under the control of the swap meet operator leading directly into a swap meet.

Ojai Code of Ordinances

Codified through Ordinance No. 838, passed March 11, 2014. (Supp. No. 23)

Title 10 Planning and Zoning
Chapter 2 Zoning Regulations*
Article 5 Commercial and Manufacturing Zoning Districts

Section 10.2.502 Purposes of commercial and manufacturing zoning districts.

The commercial and manufacturing zoning districts are intended to "Maintain an adequate inventory of commercial lands for the provision of goods and services to the community that...contribute to a sound local economic base." (General Plan, Land Use Element). The purposes of the individual commercial and manufacturing zoning districts and the manner in which they are applied are as follows.

(a) C-1 (General Commercial) District.
(b) B-P (Business Professional Commercial) District.
(c) VMU (Village Mixed-Use) District.
(d) M-1 (Light Manufacturing Industrial) District.
(e) MPD (Manufacturing Planned Development)

Section 10.2.503 Commercial and manufacturing district land uses and permit requirements.

Table 2-4 identifies the uses of land allowed by these Zoning Regulations in the commercial and manufacturing zoning districts, and the land use permit required to establish each use, in compliance with Section 10-2.303.

Table 2-4 Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts						
P = Permitted Use MUP = Minor Conditional Use Permit Required CUP = Conditional Use Permit Required — = Use Not Allowed						
Permit Required by District						
Land Use (1), (5)	C-1	B-P	VMU	M-1	MPD	Specific Use Regulations
Retail Trade						
Gun shops	P	—	—	P	—	

Ontario Code of Ordinances
Codified through Ordinance No. 3110, passed July 17, 2018. (Supp. No. 22)

Title 5 Public Welfare, Morals and Conduct
Chapter 10 Weapons

Section 5-10.03 Possession of firearms by minors.

(a) Rifles and shotguns. It shall be unlawful and a misdemeanor for any person under the age of eighteen (18) years to have in his possession, custody, or control any rifle or shotgun within the City unless he has the written permission of his parent or guardian to have such firearm or is accompanied by his parent or guardian while he has such firearm in his possession, custody, or control.

Orange Code of Ordinances
Codified through Ordinance No. 05-18, adopted March 13, 2018. (Supp. No. 38, 6/18)

Title 5 Business Taxes and Regulations
II Business Permits and Regulations
Chapter 5.42 Concealable Firearms Sellers' Permit

Section 5.42.010 Permit, Required.

The business of selling concealable firearms shall be conducted only under a permit issued by the City and shall be subject to all conditions contained in this chapter and Section 12070 et seq. of the California Penal Code.

Section 5.42.020 Permit, Application.

Application for a permit to carry on the business of selling concealable firearms shall be made to the Chief of Police upon forms to be furnished by the Business Services Coordinator.

Section 5.42.030 Police Investigation of Applicant.

The Chief of Police shall cause each applicant to be fingerprinted and photographed, a record of which shall be kept in the office of the Chief of Police. The applicant shall pay the amount set by the State for processing the fingerprints. The Chief of Police shall cause an investigation of each applicant to be made to determine if such applicant has committed any act that if done by a permittee would be grounds for revocation or suspension of a permit, or if such applicant has been convicted of a felony or any crime that has a substantial relationship to the permitted business.

Section 5.42.040 Standards for Granting Permit.

The Chief of Police shall approve or deny the permit based upon the grounds in Section 5.32.080 and the following criteria:

A. Proper physical security of the business location to insure that the firearms will not be accessible to unauthorized persons;

B. The number of existing approved licenses and their locations;

C. Conforms to all zoning requirements; however, it shall not be permitted as a home occupation.

Section 5.42.050 Issuance of Permit.

The Chief of Police shall approve or deny the permit within a reasonable time. Upon approval by the Chief of Police, the Business Services Coordinator shall issue a concealable firearms seller's permit.

Section 5.42.060 Expiration of Permit.

The permit shall expire twelve months after date of issue and a concealable firearms seller must file for a new permit for each succeeding year, which filings will be made and acted upon in the same manner as the original application, except

that if the applicant's picture and fingerprints are already on file with the Chief of Police, picture and fingerprinting requirements may be waived.

Section 5.42.070 Fee.

Each application shall be accompanied by a permit fee in such amount as is established from time to time by resolution of the City Council.

Title 17 Zoning
Chapter 17.14 Residential Districts

Section 17.14.050 Special Use Regulations.

K. Home Occupations. Such an occupation shall not:

7. Involve the sale of firearms or ammunition except to those set forth in California Penal Code Section 12078. Records shall be kept for a minimum of one year on the sales of firearms. Information on these records shall include:

a. Date of purchase;

b. , address, phone number, driver's license number and date of birth of the person buying any firearms;

c. Brand name, model number and serial number of firearm purchased.

Orange County Code of Ordinances
Codified through Ordinance No. 18-004, adopted August 28, 2018. (Supp. No. 138)

Title 5 Business and Special Licenses, Regulations
Division 1 General
Article 2 Licenses or Permits Required

Section 5-1-29 Licenses or permits required.

It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the unincorporated area of the County of Orange without first having obtained a permit or license therefor in accordance with Divisions 2 and 3 of this title.

(q) Retail sale of concealable firearms;

Division 3 Specific Additional License or Permit Requirements and Business Regulations
Article 16 Retail Sale of Concealable Firearms

Section 5-3-240 Licensing of retail sellers of concealable weapons.

The Sheriff of Orange County is hereby designated as the licensing authority for said County and is authorized to issue licenses therefor pursuant to article 4 of title 2 of part 4 of the California Penal Code (commencing with section 12070) as said article exists or may be amended from time to time for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Orange Cove Code of Ordinances
Codified through Ordinance No. 18-004, adopted August 28, 2018. (Supp. No. 138)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.12 Class V and VI Business Licenses

Section 5.12.220 Swap meets.

D. Exchanging, Selling, Etc. Firearms, Explosives at Swap Meets. No person shall exchange, barter, trade or sell firearms or explosives at a swap meet.

Oxnard Code of Ordinances
Codified through Ordinance No. 2947, passed July 24, 2018. (Supp. No. 31)

Chapter 11 Permits
Article VIII Permits to Sell Concealable Firearms

Section 11-220 Concealable firearm permit required; business tax certificate required.

(A) No person shall offer for sale, sell, transfer, or advertise any firearm capable of being concealed upon the person without first obtaining a concealable firearm permit ("permit") from the police chief.

(B) A business tax certificate shall be obtained pursuant to Article I of Chapter 11 of this code before a permit is issued unless the person, organization, or entity applying for the permit is exempt from paying business tax fees pursuant to section 11-9 of this code.

Section 11-221 Application.

(A) The application for a permit shall be on a form approved by the police chief. An applicant for a permit shall file the application with the chief of police with payment of the appropriate fee as established by resolution of the city council.

(B) The fee shall not be returned whether the application is approved, conditioned or denied.

Section 11-222 Investigation of applicant.

(A) By filing an application, the applicant consents to the police chief undertaking an investigation of the applicant and a review of the information contained in the application. Thereafter, the police chief shall approve, conditionally approve or deny the permit.

(B) If the application is approved or conditionally approved, the police chief shall issue the permit.

(C) If the application is denied, the police chief shall promptly notify the applicant, in writing, of the denial by certified or registered mail. The applicant may request a hearing as provided for herein, to review the conditions or denial of a permit.

Section 11-223 Revocation or modification of permit.

(A) The police chief may revoke or modify a permit for failure of the permittee to comply with laws, regulations, or permit conditions.

(B) The police chief shall mail to the permittee a notice that the permit is proposed for revocation or modification. The notice shall state the reasons for the proposal.

(C) The permittee may request a hearing, as provided herein, to review the proposed revocation or modification. If such a request for hearing is not timely received, the police chief shall mail to the permittee a notice that the proposed revocation or modification is in effect. Such notice shall constitute an exhaustion of the administrative remedies available to the permittee.

Section 11-224 Request for hearing.

A request for hearing shall be filed with the city clerk within 14 days of the date of the subject notice or receipt of a conditioned permit. The request shall include payment of an appropriate hearing fee established by resolution of the city council. The request shall include a copy of the notice or conditioned permit and shall state the relief sought by the person requesting the hearing.

Section 11-225 Hearings; notice.

On receiving a request for hearing, the city clerk shall send the request to the hearing officer. The hearing officer shall promptly set the matter for hearing. At least ten days before the hearing, the hearing officer shall mail written notice of the date, time and place of hearing to the person requesting the hearing.

Section 11-226 Conduct of hearings.

(A) All hearings shall be open to the public.

(B) The person requesting the hearing shall first present evidence. Thereafter, a representative of the city may present evidence.

(C) The hearing officer shall conduct the hearing in an informal fashion and shall not be bound by the technical rules of evidence.

Section 11-227 Decision.

Within 14 days of the conclusion of the hearing, the hearing officer shall issue and mail to all parties a written decision containing a statement of the reasons on which the decision is based.

Section 11-228 Judicial action.

Judicial review of a final decision of the hearing officer or police chief may be sought in accordance with Cal. Code of Civil Procedure, Sections 1094.5 and 1094.6.

Chapter 16 Zoning Code
Article V Specific Use Requirements
Division 6 Home Occupations

Section 16-404 Prohibited home occupations.

Sale of alcohol, explosives, hazardous wastes, or firearms which involve the storage of such items within a structure are prohibited as home occupations.

Pacific Grove Code of Ordinances
Codified through Ordinance No. 18-010, passed September 5, 2018.

Title 11 Health, Safety and Environment
Chapter 11.60 Concealed Weapons

Section 11.60.010 Local licensing authority designated.
The chief of police is designated as the “local licensing authority” as required under the provisions of Penal Code Section 12071 of the state of California, and such chief of police shall be the authority who shall exercise discretion in issuing or refusing a license for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person under such section. Such discretion shall be exercised in accordance with application forms and procedures prescribed by the Attorney General of the state of California under Section 12071 of the Penal Code of the state of California.

Section 11.60.020 Business license – Does not authorize sale.
No business license issued under Chapter 7.04 PGMC by the city’s finance director shall be deemed the exercise of discretion for any firm or person to sell at retail any pistol, revolver or other firearm capable of being concealed upon the person, without such firm or person having secured a current and subsisting license from the chief of police under Section 12071 of the California Penal Code.

Pacifica Code of Ordinances
Codified through Ordinance No. 835-C.S., effective July 10, 2018. (Supp. No. 45)

Title 5 Public Welfare, Morals, and Conduct
Chapter 14 Weapons, Hunting, and Trapping

Section 5-14.01 Firearms: Defined.

For the purposes of this chapter, "firearms" shall mean and include cannons, guns, pistols, revolvers, automatic pistols, rifles, shotguns, "BB" guns, air guns, pellet guns, or any other weapons of similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 5-14.04 Firearms: Possession by minors.

(a) Unlawful. It shall be unlawful for any person under the age of eighteen (18) years to have in his possession in a public place any firearm except as provided in subsection (b) of this section.

(b) Exceptions. The provisions of subsection (a) of this section shall not apply to such persons under the age of eighteen (18) years:

(1) When the person under the age of eighteen (18) years is in the immediate charge of a parent, guardian, or adult person having the responsibility for the conduct of such minor person; and

(2) When the firearm is unloaded and is either in a dismantled or "take-down" condition or completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

Chapter 27 Security of Buildings
Article 5 Special Security Measures for Business Premises

Section 5-27.502 Alarm systems: Silent robbery alarms.

Establishments listed in this section, and those businesses reasonably similar in nature, shall be protected by a silent robbery alarm. The alarm may be connected to an alarm company's office or to the Police Services Division and shall be installed pursuant to Chapter 16 of Title 5 of this Code.

(i) Gun and ammunition dealers;

Section 5-27.503 Alarm systems: Silent intrusion alarms.

Establishments listed in this section, and those businesses reasonably similar in nature, shall be protected by a silent intrusion alarm with a locally ringing alarm accessory optional. The alarm may be directed to a central station or to the Police Services Division. The alarm may be connected to an alarm company's office or to the Police Services Division and shall be installed pursuant to Chapter 16 of Title 5 of this Code.

(j) Gun and ammunition dealers;

Title 9 Planning and Zoning
Chapter 4 Zoning
Article 10 C-1 Neighborhood Commercial District*

Section 9-4.1001 Permitted and conditional uses.

(a) Permitted uses. The following uses shall be permitted in the C-1 District:

(1) Retail uses, including, but not limited to, food markets, drug stores, liquor stores and retail restaurants, but excluding firearms sales and any marijuana operation as defined in Article 48 of this chapter;

Article 11 C-2 Community Commercial District*

Section 9-4.1001 Permitted and conditional uses.

(a) Conditional uses. Conditional uses allowed in the C-2 District, subject to obtaining a use permit, shall be as follows:

(8) Firearms sales, subject to the provisions of Section 9-4.2316.

Article 23 General Provision and Exceptions

Section 9-4.2316 Firearms sales.

(a) Purpose. The purpose of this section is to provide for the appropriate location of firearms sales activity and to regulate such activity through the permitting process.

(b) Definitions.

(1) For the purposes of this article, "**firearm**" shall be defined as specified in Section 5-14.01 of the Pacifica Municipal Code, and shall also include any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other means of combustion.

(2) "**Firearms sales**" shall be defined to mean the sale, transfer or lease or advertising for sale, transfer or lease of any firearm.

(c) Permit required. Except as provided in California Penal Code Section 12070(b), as may be amended from time to time, it shall be unlawful for any person to engage in firearms sales activity unless a use permit has been obtained pursuant to Article 33 of this chapter and as further specified below. Subject to the restrictions listed below, firearms sales activity may be allowed in the C-2 or C-3 zoning districts with an approved use permit. Firearms sales activity shall be prohibited in all other zoning districts.

(d) Location. A use permit for firearms sales activity shall not be approved if the proposed business premises are located within 1,000 feet of any property upon which a legally operating public or private elementary, middle or high school is located or upon which a legally operating pre-school is located, or within 500 feet of another person engaged in firearms sales activity with a current and lawful use permit.

(e) Conditions. An approved use permit shall not be effective until the applicant satisfies, in addition to any conditions imposed by the Planning Commission, the following terms and conditions:

(1) Possession of all licenses and permits required by federal, state, and local law;

(2) Compliance with the requirements of the City of Pacifica's Building Code, Fire Code, and other technical codes and regulations that govern the use, occupancy, maintenance, construction or design of the subject building or structure;

(3) Final inspection from the Chief Building Official demonstrating code compliance prior to the commencement of business at the subject location; and

(4) Possession of a valid City of Pacifica business license.

Article 31 Home Occupation Permits

Section 9-4.3101 Definitions.

(k)

(1) A home occupation shall not involve the storage or sale of firearms, other weapons, explosives, or ammunition.

Palm Springs Code of Ordinances

Codified through Ordinance No. 1965, effective November 17, 2018.

Title 8 Buildings and Construction
Chapter 8.04 Uniform Codes
Article II Building Security Regulations

Section 8.04.180 Special commercial building provisions.

(j) Establishments having specific-type inventories shall be protected by the following type alarm service:

(1) Silent alarm system with a central station hookup and required twenty-four-hour supervised service:

(B) Any establishment manufacturing, storing or selling firearms and ammunition,

Title 11 Peace, Morals and Safety
Chapter 11.16 Firearms

Section 11.16.005 Definitions.

"Concealed carry licensee" means a person licensed or otherwise authorized to carry a concealable firearm pursuant to California Penal Code Section 26150 et seq.

"Firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of any explosion or other form of combustion.

"Locked Container" means a secure container that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device as defined by California Penal Code Section 16850. For purposes of this Chapter, it also includes a lock box that is listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices. For purposes of this Chapter, it does not include a bag or other container made of fabric or other penetrable material, such as a regular purse, backpack, or gym bag.

"Residence" means any structure intended or used for human habitation, including but not limited to, houses, condominiums, rooms, motels, and time-shares. For purposes of this ordinance, it also includes a garage which is enclosed within or located adjacent to such a structure and which is not open to the public.

Section 11.16.045 Safe Storage of Firearms.

Except when carried on his or her person, or in his or her immediate control and possession, no person shall keep a firearm (as defined in Penal Code Section 16520 or as amended) in any residence owned or controlled by that person unless the firearm is stored in a locked container or the firearm is disabled with a trigger lock that is listed on the California Department of Justice's list of approved firearms safety devices.

Palm Springs Zoning Code

Codified through Ordinance No. 1965, effective November 17, 2018.

Chapter 92.00 Zoning Regulations

Section 92.14.01 Uses permitted.

C. Uses Permitted by Land Use Permit.

1. Indoor uses:

i. Gun shops;

Palmdale Code of Ordinances
Codified through Ordinance No. 1514, passed November 13, 2018.

Title 5 Business Licenses, Taxes and Regulations
Chapter 5.04 Business Regulation
Article II Businesses Requiring a Business Permit

Section 5.04.500 Gun dealers.

(A) Definitions. For purposes of this section, the following term shall have the following meaning:

"**Gun dealer**" means any person who sells or otherwise transfers to members of the public any pistol, revolver or other firearm, new or used, capable of being concealed upon the person.

(B) Application Information.

(1) Permit Form. Any permit issued to operate a gun dealer shall be on a form provided by the State Attorney General.

(2) Application Form. Notwithstanding any other provision of this chapter, every applicant for a gun dealer permit shall fill out the application form provided by the State Attorney General.

(C) Permit Subject to Conditions. All permits issued under this section are subject to the following conditions, breach of any of which subjects the business permit to forfeiture:

(1) The business activity shall be carried on only in the building designated in the permit.

(2) The permit or a copy thereof, certified by the issuing authority, shall be posted in a conspicuous manner on the premises in which the business is being conducted.

(3) No pistol, revolver, or other firearm capable of being concealed upon the person shall be delivered:

(a) Within 10 days of the application for the purchase, or, after notice by the Department of Justice ("Department") pursuant to subdivision (c) of Section 12076 of the State Penal Code, within 10 days of the submission to the Department of corrected copies of the register, or within 10 days of the submission to the Department of any fee required pursuant to subdivision (d) of Section 12076 of the State Penal Code, whichever is later:

(i) Unless unloaded and securely wrapped or unloaded and in a locked container;

(ii) Unless the purchaser or transferee either is personally known to the dealer or presents clear evidence of his or her identity to the dealer;

(iii) Whenever the dealer is notified by the Department of Justice that a purchaser is in a prohibited class described in Section 12021 or 12021.1 of the Penal Code or Section 8100 or 8103 of the Welfare and Institutions Code.

(b) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(c) The permittee shall agree to and shall act properly and promptly in processing transfers of pistols, revolvers, and other firearms capable of being concealed upon the person.

(d) The permittee shall comply with Sections 12073 and 12077 and subdivision (b) of Section 12072 of the State Penal Code.

Title 17 Zoning
Division 2 Review Procedures
Chapter 26 Miscellaneous Administrative Approvals

Section 17.26.060 Home Occupation Permit.

D. Mandatory conditions for operation

Home occupations may be permitted on property used for residential purposes, provided that the use is operated pursuant to the following conditions of operation:

24. No home occupation shall include the sale or storage of fire arms, ordnance, ammunition or other weapons which are regulated by the Bureau of Alcohol, Tobacco and Firearms, at the site of the home occupation.

Division 5 Commercial Zones
Chapter 17.53 General Commercial (Zone C-3)

Section 17.53.050 Uses Permitted Subject to Site Plan Review Approval

The following uses are permitted in the C-3 zone subject to Site Plan Review approval, except that when such a use is proposed to be established in an existing building and does not constitute a change from the previous use of said building,

the requirement for Site Plan Review may be waived by the Planning Director through issuance of a Zoning Clearance, pursuant to PMC 17.26.030.

B. Retail sale of goods generally characterized by relatively long-term utility or consumption, including:

13. Firearms and related accessories, sales and service.

Chapter 17.54 Commercial Center (Zone C-4)

Section 17.54.080 Accessory Uses and Structures Permitted

The following accessory uses and structures are permitted in the C-4 zone, provided that such uses are established on the same lot or parcel of land as the permitted principal use, and that such accessory uses are incidental to and do not substantially alter the character of the principal use.

N. Firearms and related accessories, sales and service, as an accessory use to the retail sales of sporting equipment.

Chapter 17.55 Service Commercial Zone (Zone C-5)

Section 17.55.050 Uses Permitted Subject to Site Plan Review Approval

The following uses are permitted in the C-5 zone subject to Site Plan Review approval, except that when such a use is proposed to be established in an existing building and does not constitute a change from the previous use of said building, the requirement for Site Plan Review may be waived by the Planning Director through issuance of a Zoning Clearance, pursuant to PMC 17.26.030.

B. Retail trade

Retail sale of items primarily used by businesses, including agriculture, commerce, construction, transportation and research uses, or serving the specialized needs of individuals involved in these uses and related trades. The sale of items where the intensity of use or operation is greater than that allowed in other commercial zones, and which may be incompatible with those zones, is also allowed. In addition, retail sale of convenience goods to serve the short-term needs of employees in adjacent areas is permitted. However, retail sale of goods primarily serving the general public, which will result in attraction of large volumes of customers into industrial and manufacturing areas, is not consistent with the intent of the C-5 zone. Retail sale may include the following:

10. Firearms and related accessories, sales and service.

Division 6 Industrial Zones

Chapter 17.61 Light Industrial (Zone M-1)

Section 17.61.050 Uses Permitted Subject to Site Plan Review Approval.

The following uses are permitted in the M-1 zone subject to Site Plan Review approval, except that when such a use is proposed to be established in an existing building and does not constitute a change from the previous use of said building, the requirement for Site Plan Review may be waived by the Planning Director through issuance of a Zoning Clearance, pursuant to PMC 17.26.030.

D. Retail trade

Limited retail sale of items primarily used by businesses, including agriculture, commerce, construction, transportation and research uses, or serving the specialized needs of individuals involved in these uses and related trades. The sale of items where the intensity of use or operation is greater than that allowed in commercial zones, and which may be incompatible with those zones, is also allowed. In addition, retail sale of convenience goods to serve the short-term needs of employees in adjacent areas is permitted. However, retail sale of goods primarily serving the general public, which will result in attraction of large volumes of customers into industrial and manufacturing areas, is not consistent with the intent of the M-1 zone. Retail sale may include the following:

5. Firearms and related accessories, sales, and service.

Section 17.61.060 Uses Permitted Subject to Approval of a Conditional Use Permit.

Premises in Zone M-1 may be used for the following purposes, provided that a permit has first been obtained pursuant to the provisions of Chapter 17.22 PMC, Conditional Use Permits.

CC. Weapons and/or ammunition; storage and warehousing.

Chapter 17.62 General Industrial (Zone M-2)

Section 17.62.060 Uses Permitted Subject to Approval of a Conditional Use Permit.

Premises in Zone M-2 may be used for the following purposes, provided that a permit has first been obtained pursuant to the provisions of Chapter 17.22 PMC, Conditional Use Permits.

M. Manufacturing:

2. Fabricated metal products:

a. Ammunition.

AA. Weapons and/or ammunition; storage and warehousing.

Division 9 Special Regulations
Chapter 17.92 Commercial Uses

Section 17.92.080 Outdoor Retail Sales.

A. Purpose and intent

It is the purpose of these regulations to establish specific standards for outdoor retail sales uses established as primary uses including swap meets, flea markets and other similar outdoor retail uses. The intent of these regulations is to prevent potential negative impacts relating to noise, traffic, visual appearance, health and safety.

B. Development standards

Primary outdoor retail sales uses shall conform to the following standards in addition to all other applicable standards and regulations:

8. Retail sales shall not include the sale of adult-oriented merchandise, firearms, or off-sale alcohol.

Palo Alto Code of Ordinances
Codified through Ordinance No. 5451, passed October 1, 2018. (Supp. No. 42)

Title 4 Business Licenses and Regulations
Chapter 4.57 Firearms Dealers

Section 4.57.010 Definitions.

(a) In addition to those words and phrases defined in Section 4.04.010 of this code, the following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

(1) "Chief of police" means the chief of police or his or her designee.

(2) "City" means the city of Palo Alto.

(3) "Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or advertising for, sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(4) "Department" means the California Department of Justice.

(5) "Engaged in the business" means the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm; or the selling, transferring, or leasing of any firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.

(6) "Person" means natural person, association, partnership, firm, or corporation.

(7) "Firearm" means any revolver, rifle, shotgun or any other device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or any other form of combustion. A "firearm" includes any device defined as a firearm by the California Penal Code as said definition now reads or may hereafter be amended to read.

Section 4.57.020 Permit - Required.

No person shall engage in the business of selling, transferring or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease within this city any firearm unless that person has been issued a permit pursuant to the provisions of this chapter.

Section 4.57.030 Application - Form - Fees.

(a) An applicant for a permit under this chapter shall file with the chief of police a sworn application in writing, on a form to be furnished by the city, and the applicant and officers, employees, and agents thereof shall be photographed and fingerprinted by the chief of police. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws when required by the chief of police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee as set forth in the municipal fee schedule.

(b) Any person proposing to engage in business as a firearms dealer within this city shall secure the applicable federal license and shall have thirty calendar days after approval of such federal license to apply for a city permit in compliance with the provision of this chapter and shall not engage in the business as a firearms dealer within the city until the city permit is issued.

Section 4.57.040 Application - Investigation.

The chief of police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief of police may require additional information of an applicant which he or she deems necessary to complete the investigation.

Section 4.57.050 Application - Denial.

(a) The chief of police shall issue a firearms dealer permit to an applicant unless he or she finds any of the following:

(1) The applicant, or an officer, employee, or agent thereof is under the age of twenty-one years;

(2) The applicant is not licensed as required by all applicable federal, state, and local laws;

(3) The applicant, or an officer, employee, or agent thereof has had a similar type of permit previously revoked or denied for good cause within the immediately preceding year;

(4) The applicant, or an officer, employee, or agent thereof has knowingly made any false or misleading statement of a material fact or omission of a material fact in the application for a permit;

(5) The applicant, or an officer, employee, or agent thereof has been convicted of:

(A) Any offense so as to disqualify the applicant, or an officer, employee, or agent thereof from owning or possessing a firearm under applicable federal, state, and local laws,

(B) Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,

(C) Any offense involving the use of force or violence upon the person of another,

(D) Any offense involving theft, fraud, dishonesty, or deceit,

(E) Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

(6) The applicant, or an officer, employee, or agent thereof is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol, to the extent that such use would impair his or her fitness to be a firearms dealer;

(7) The applicant, or an officer, employee, or agent thereof has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a firearms dealer;

(8) The operation of the business as proposed will not comply with all applicable federal, state, and local laws;

(9) The business as proposed will be operated in the following locations:

(A) Within a zoning district in which retail service is not a permitted or conditional use,

(B) Within a zoning district in which residential use is the principal permitted or maintained use, or within two hundred fifty feet of the exterior limits of any such district,

(C) On or within two hundred fifty feet of the exterior limits of any other premises occupied by a public or private day care center or day care home, elementary school, junior high school, or high school,

(D) On or within one thousand two-hundred feet of the exterior limits of any other premises occupied by a dealer in firearms, a cardroom, a massage establishment, and adult entertainment establishment, or a hot tub/sauna establishment. Priority between such existing establishments shall be assigned in accordance with the dates upon which such establishments commenced such lawful operation, priority being given to the establishment having the earliest of such dates. In the event any dispute arises regarding said date, the applicant shall have the obligation to establish the date on which he or she commenced lawful operation.

All distances referred to in this subsection shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a dealer in firearms subject to the provisions of this chapter occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit occupied. This subsection shall supersede any and all conflicting provisions regulating home occupations set out in Title 18 of this code;

(10) The applicant, or an officer, employee, or agent thereof does not have and/or cannot provide evidence of, a possessory interest in the property at which the proposed business will be conducted;

(11) The operation of the firearm dealer business as proposed in the application for the permit will violate any applicable building, fire, health or zoning requirements set forth in this code;

(12) Any ground for denial specified in Section 4.04.140 of this code.

Section 4.57.060 Permit - Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the State of California.

Section 4.57.070 Permit - Duration - Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that such permits may be renewed by the chief of police for additional periods of one year upon approval of an application for renewal by the chief of police and payment of the renewal fee. Such renewal application must be received by the chief of police, in completed form, no later than forty-five days prior to the expiration of the current permit.

Section 4.57.080 Permit - Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 4.57.090 Permit - Conditions.

(a) Any permits issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police:

(1) The business shall be engaged-in only in the building located at the street address designated in the permit, and only by such persons as specified in the permit; the business may also be engaged-in at such other locations or events as are authorized by federal and state law provided that such location or event conforms to the requirements of this code; any changes to the approved location or to the persons authorized to act as officers, employees, or agents of the permittee in engaging in the business during the term of the permit must be approved by the chief of police;

(2) The permit or a copy thereof, certified by the chief of police, shall be displayed on the premises where it can easily be seen;

(3) The permittee shall comply with all federal and state firearms laws.

Any permit issued pursuant to this chapter shall be subject to such additional conditions as the chief of police finds are reasonably related to the purposes of this chapter.

Section 4.57.095 Business and security regulations.

(a) All firearm dealers and officers, employees or agents of the firearm dealer, shall comply with all provisions of California Penal Code Section 12071 regarding business regulations and building specifications for firearm security.

(b) All sellers of firearms shall protect such firearms from theft during business hours in the following manner:

(1) All firearms shall be displayed in locked cabinets, a secured rack, or a storage area so that access to firearms is controlled by the dealer or an employee, to the exclusion of all others.

(2) The firearm dealer or the dealer's agent or employee shall be present when a prospective buyer or seller is handling any firearm prior to sale and delivery of the firearm.

Section 4.57.100 Permit - Grounds for revocation.

In addition to any provisions contained in this chapter, the provisions of Section 4.04.140 of this code shall apply to revocation of permits required under this chapter. Any circumstances constituting grounds for denial shall also constitute grounds for revocation.

Section 4.57.110 Permit - Hearing.

(a) Any person whose application for a permit has been denied, or whose permit has been revoked pursuant to the provision of this chapter, shall have the right to a hearing before the chief of police prior to final denial or prior to revocation.

(b) The chief of police shall give the applicant or permittee written notice of his or her intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten days from the date of receipt of the

notice to file a written request for a hearing. The application may be denied or the permit revoked if a written hearing request is not received within the ten-day period.

(c) If the applicant or permittee files a timely hearing request, the chief of police shall set a time and place for the hearing. All parties involved shall have the right to offer testimony, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the chief of police whether to deny the application or revoke the permit is final and nonappealable.

Section 4.57.120 Permit - Liability insurance.

No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city attorney and risk manager deem proper, executed by an insurance company approved by the city attorney and risk manager, whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer, or lease, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease any firearm. The minimum liability limits shall not be less than one million dollars for damage to or destruction of property in any one incident, and one million dollars for the death of or injury to any one person; provided, however, that additional amounts may be required by the city attorney and risk manager if deemed necessary. Such policy of insurance shall contain an endorsement providing that the policy will not be cancelled until notice in writing has been given to the city, addressed in care of the chief of police, 275 Forest Avenue, Palo Alto, California, 94301, at least thirty days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall name the city, its officers, agents, and employees as additional insureds. Additionally, applicants and permittee shall indemnify, defend, and hold harmless the city, its officers, agents and employees, from claims arising from the negligence of the applicant or permittee.

Section 4.57.130 Permit - Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, or provisions of this chapter. A police investigator may conduct compliance inspections to ensure conformance with all federal, state, and local laws, and the provisions of this chapter. A warrant shall be obtained whenever required by law.

Section 4.57.140 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm on the effective date of the ordinance codified in this chapter shall have a period of sixty days after such effective date to comply with the provisions of this chapter.

Section 4.57.150 Severability.

This chapter shall be enforced to the full extent of the authority of the city of Palo Alto. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the city of Palo Alto, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this chapter, and the applications thereof; and to that end, the section, subsections, paragraphs, sentences and words of this chapter shall be deemed severable.

Paradise Code of Ordinances

Codified through Ordinance No. 568, enacted March 13, 2018. (Supp. No. 4/18)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.05 Retail Firearms Sales Establishments

Section 5.05.010 License required.

No person shall engage in the business of selling, leasing, transferring, advertising, offering or exposing for sale, lease or transfer, any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person unless he or she has been issued a license pursuant to this chapter.

As used in this chapter, engaging in the business of selling, leasing or transferring any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person does not include any of the following:

A. The sale, lease or transfer of any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person by a person acting pursuant to a court order under the Enforcement of Judgments Law (Title 9 (commencing with Section 680.010) of Part 2 of the Code of Civil Procedure) or by a person who liquidates a personal firearm collection to satisfy a court judgment;

B. The sale, lease or transfer of any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person by a person acting pursuant to subdivision (c) of Section 12028 of the California Penal Code;

C. The sale, lease or transfer of any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person by a person who obtains title to the firearm by the intestate succession or by bequest, provided the person disposed of the firearm within sixty days of receipt of the firearm;

D. The infrequent sale, lease or transfer, offering, exposing for sale, lease or transfer, or advertising for sale, lease or transfer any rifle, shotgun, pistol, revolver or other firearm capable of being concealed upon the person.

As used in this chapter "**infrequent**" means occasional without regularity; and in no event shall "infrequent" mean more than five transactions per calendar year. For these purposes, "**transaction**" means a single sale, lease or transfer of any number of rifles, shotguns, pistols, revolvers or other firearms capable of being concealed upon the person.

Section 5.05.020 Application for license.

Every person engaged in the retail sales of firearms shall obtain a license to operate in the town and pay a license fee in advance as set by council resolution, payable to the administrative services department. Upon application being made, the administrative services department shall immediately refer the applicant and the application to the police department, and the police department shall either approve or disapprove of the granting of the license within thirty days. If the application is approved by the police department, the applicant shall furnish to the police department the name, age, sex, permanent address, prior felony convictions, if any, and other pertinent information required by the police department concerning each and every person who shall be employed by applicant in such business or take part therein, in any manner whatsoever, and the applicant shall keep any and all records of such business as required by the police department and shall submit copies thereof to the police department as may be required.

Section 5.05.030 Violations a misdemeanor.

Any person violating any provision of this chapter is guilty of a misdemeanor.

Pasadena Code of Ordinances

Codified through Ordinance No. 7333, adopted October 15, 2018. (Supp. No. 57, Update 1)

Title 5 Business Taxes, Licenses and Regulations
Article II Specific Businesses
Chapter 5.35 Concealable Firearms, Retail Sales

Section 5.35.020 Definitions.

"Pistol," "revolver," and **"firearm capable of being concealed upon the person,"** as used in this chapter, mean "pistol," "revolver," and "firearm capable of being concealed upon the person," as defined by the California Penal Code as said definition now reads or may hereafter be amended to read.

Section 5.35.030 Permit, Required.

No person shall engage in the business of selling or otherwise transferring, or advertise for sale, or offer or expose for sale, or transfer any pistol, revolver or other firearm capable of being concealed upon the person, unless he has been issued a permit pursuant to the provisions of this chapter.

Section 5.35.040 Written applications, Fees.

An application for a permit required by this chapter, or for the renewal thereof, shall be filed with the police department; shall be in writing on forms provided by the city; shall be in duplicate; and shall be accompanied by a paid receipt issued by city for payment of the application fee. The application fee for the initial permit is $50.00, and for a renewal permit is $25.00. The application fee is established to cover part of the cost of investigation and processing an application and permit and is not refundable. Every application shall be verified as provided by the California Code of Civil Procedure for the verification of pleadings.

Section 5.35.050 Application, Investigation.

The police department shall fingerprint any person applying for a permit required by this chapter. The police chief shall conduct an appropriate investigation of the applicant to determine whether the permit shall be issued. The police chief may require additional information of applicants which he deems necessary to conduct his investigation. The police chief may dispense with the investigation upon being furnished with an authenticated copy of a current permit issued by another governmental agency located in the county.

Section 5.35.060 Application, Denial.

The permit shall be denied by the police chief if:

A. The character or reputation of the applicant is determined to be inimical to the safety or general welfare of the community; or

B. The applicant has been convicted of any felony or misdemeanor involving the violation of any law or ordinance relating to the owning, carrying, sale, use or registration of any firearm or dangerous or deadly weapon; or

C. The applicant, his employee or agent has knowingly made any false or misleading statement of a material fact in the application for a permit; or

D. The applicant has had a similar type permit previously revoked for good cause within the past year unless the applicant can show a material change in circumstances since the date of revocation.

Section 5.35.070 Appeal procedure.

Any applicant or permittee aggrieved by a decision of the police chief with reference to his respective application or permit may appeal said decision in accordance with the procedures set forth in Chapter 5.36.

Section 5.35.080 Permit, Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the state.

Section 5.35.090 Permit, Duration.

All permits so issued shall expire:

A. One year after the date of issuance; or

B. Upon the cessation or change of location of business for which such permit is issued; whichever occurs sooner; provided, however, that such permits may be renewed for additional periods of one year upon the approval of the police chief.

Section 5.35.100 Permit, Conditions, Revocation.

Any permit issued shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the police chief:

A. The business shall be carried on only in the building designated in the permit.

B. The permit or a copy thereof, certified by the police chief, shall be displayed on the premises where it can easily be seen by anyone patronizing the premises.

C. No pistol or revolver shall be delivered:

1. To anyone other than the purchaser thereof;

2. To the purchaser within 15 days of the application for the purchase;

3. To the purchaser unless he is personally known to the seller or presents clear evidence of his identity to the seller;

4. Unless it is unloaded and securely wrapped.

D. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

E. The permittee shall at all times have in full force and effect a policy of general liability insurance issued by an insurer authorized to write such policies in the state of California in the amount of at least one million dollars ($1,000,000).

F. The permittee shall not sell any firearm unless the permittee also sells or furnishes a trigger lock or other similar device with each firearm sold which will prevent the unintentional discharge of the firearm. The trigger lock or other similar device shall be external to the firearm. A safety mechanism which is part of the firearm's integral components or mechanism shall not satisfy the requirements of this subsection.

Section 5.35.110 Permit, Assigning prohibited.

The assignment or attempt to assign any permit issued under this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 5.35.120 Revocation for cause.

A permit shall be revocable by the police chief for cause, which cause shall include, but shall not necessarily be limited to, violation of Section 5.35.100 or falsification of information in the permit application.

Section 5.35.130 Surrender of permit.

When a permit is revoked pursuant to this chapter, the permittee shall surrender the permit to the police department.

Section 5.35.140 Confidentiality.

The information furnished and secured pursuant to this chapter shall be confidential in character, shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this chapter.

Section 5.35.150 Exemption of sales to government officers, Identification.

The provisions of this chapter do not apply to sales of concealable firearms made to persons properly identified as full-time paid officers of a city police department, sheriff's department, district attorney's office, the California Highway Patrol, or the State Department of Justice, nor to sales of concealable firearms made to authorized representatives of cities, cities and counties, counties, or state or federal governments for use by such governmental agencies. Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser is employed, identifying the purchaser and authorizing the purchase. The certification shall be delivered to the seller at the time of purchase and the purchaser shall identify himself as the person authorized in such certification.

Section 5.35.160 Enforcement of provisions.

The conviction of any person for violation of the provisions of this chapter shall not relieve the person from paying the permit fee due and unpaid at the time of the conviction, nor shall payment of any permit fee prevent criminal prosecution for violation of any of the provisions of this chapter. All remedies shall be cumulative and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter. The amount of any permit fee shall be deemed a debt to the city. An action may be commenced in the name of the city in any court of competent jurisdiction for the amount of any delinquent permit fee.

Title 8 Health and Safety*
Chapter 8.85 Weapons, Sales Prohibited on City Property and in City Facilities

Section 8.85.010 Definitions.

A. "Assault weapon" means, except as provided in subsection C of this section, the following:

1. Any semiautomatic action, center fire rifle or carbine which was designed to accept a detachable magazine with a capacity of twenty rounds or more, including, but not limited to, the following firearms or their copies: AR 15 semiautomatic assault rifles, Uzi semiautomatic assault rifles or carbines, Ingram Mac-10 semiautomatic assault carbines, Ingram Mac-11 semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, AK-47 semiautomatic assault rifles, AKM-47 semiautomatic assault rifles, all Avtomat Kalashnikov weapons, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

2. Any weapon which may be readily restored to an operable assault weapon, as defined in subdivision 1 of this subsection; and

3. Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined in subdivision 1 of this subsection, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under the control of the same person.

B. "Semiautomatic" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

C. "Assault weapon" does not include any of the following:

1. Any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by Section 12200 of the Penal Code of the state; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the state;

2. Any of the following: weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt-action weapons, lever-action weapons, slide-action weapons, single-shot weapons, multiple-barrel weapons, revolving-cylinder weapons, semiautomatic weapons which use exclusively Mannlicher-style clips, semiautomatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;

3. Any assault weapon which is an antique or relic firearm or other weapon failing within the specifications of paragraphs (5), (7) and (8) of subsection (b) of Section 12020 of the Penal Code of the state;

4. Any short-barreled rifle or shotgun as defined in subsection (c) of Penal Code Section 12020; or

5. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

D. "Pistol, revolver and firearm capable of being concealed upon the person" means any device designed to be used as a weapon from which is expelled a projectile by the force of any explosion or other form of combustion and which has a barrel less than twelve inches in length.

Section 8.85.020 Sale on city property or in a city facility prohibited.

No person, except for a licensed federal firearms dealer, shall sell, offer or display for sale, lease, give, lend or transfer ownership of any assault weapon or pistol, revolver and firearm capable of being concealed upon the person on any city property or in any city facility.

Title 17 Zoning Code
Article 2 Zoning Districts, Allowable Land Uses, and Zone-Specific Standards
Chapter 17.24 Commercial and Industrial Zoning Districts

Section 17.24.020 Purposes of Commercial Zoning Districts

B. Purposes of individual zoning districts.

1. Commercial Office (CO) District.
2. Commercial Limited (CL) District.
3. Commercial General (CG) District.
4. Industrial General (IG) District.

17.24.030 Commercial and Industrial District Land Uses and Permit Requirements

A. Permit requirements. Table 2-5 identifies the uses of land allowed by this Zoning Code in the commercial zoning districts, and the land use permit required to establish each use, in compliance with Section 17.21.030 (Allowable Land Uses and Permit Requirements). The following land use permit requirements are established by Table 2-5.

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Code Compliance Certificate required.	17.61.020
MC	Conditional use, Minor Conditional Use Permit required.	17.61.050
C	Conditional use, Conditional Use Permit required.	17.61.050
E	Conditional use, Expressive Use Permit required.	17.61.060
TUP	Temporary use, Temporary Use Permit required.	17.61.040
—	Use not allowed. (See Section 17.21.030.A regarding uses not listed.)	

Section 17.24.040 Commercial and Industrial District General Development Standards

Table 2-5 - Allowed Uses and Permit Requirements For Commercial and Industrial Zoning Districts					
Permit Requirement By Zone					
Land Use (1)	CO	CL, CL-2	CG	IG	Specific Use Standards
Retail Sales (7, 9)					
Firearm sales	—	—	—	C (8)	

Notes:

(8) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.

Article 3 Specific Plan Standards
Chapter 17.32 East Pasadena Specific Plan

Section 17.32.050 EPSP District Land Uses and Permit Requirements

A. Allowable land uses and permit requirements. Tables 3-5 and 3-6 identify the uses of land allowed by this Zoning Code in each EPSP zoning district, and the land use permit required to establish each use, in compliance with Section 17.21.030 (Allowable Land Uses and Permit Requirements). The land use permit requirements established by Tables 3-5 and 3-6 are as follows.

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Code Compliance Certificate required.	17.61.020
MC	Conditional use, Minor Conditional Use Permit required.	17.61.050
C	Conditional use, Conditional Use Permit required.	17.61.050
E	Conditional use, Expressive Use Permit required.	17.61.070
TUP	Temporary use, Temporary Use Permit required.	17.61.040
—	Use not allowed. (See Section 17.21.030.A regarding uses not listed.)	

C. Standards for specific land uses. Where the last column in the tables ("Specific Use Standards") includes a section number, the regulations in the referenced section apply to the use, in addition to all other applicable provisions of this Zoning Code.

Table 3-5 - Allowed Uses and Permit Requirements East Pasadena Specific Plan (EPSP) Subarea D1 Districts					
Permit Requirement by D1 Zone					
Retail Sales (3, 10, 11)	CO	CL	CG	IG	Specific Use Standards
Firearm sales	—	—	—	C (4)	

Notes:

(4) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.

Article 5 Standards for Specific Land Uses
Chapter 17.50 Standards for Specific Land Uses

Section 17.50.110 Home Occupations

G. Limitation on activities.

2. Guns and ammunition shall not be sold as part of a Home Occupation Permit except that a home occupation for a gunsmith or firearms collector licensed by the Bureau of Alcohol, Tobacco, and Firearms as a gunsmith or firearm collector is allowed.

Article 8 Glossary of Specialized Terms and Land Use Types
Chapter 17.80 Glossary of Specialized Terms and Land Use Types

Section 17.80.020 Definitions

As used in this Zoning Code, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise. Definitions of land uses are followed by the term (land use).

F. Definitions, "F."

Firearm Sales (land use). The retail sale of firearms or ammunition by a firearms dealer, whether it is the principal sales item or incidental to the overall sales. This use includes firearms dealers that transfer and lease any firearms.

Patterson Code of Ordinances
Codified through Ordinance No. 815, and legislation passed through December 19, 2017.

Title 18 Zoning
Division III Zoning Districts
Chapter 18.42 Commercial and Medical/Professional Office Districts

Section 18.42.030 Allowed land uses and permit requirements.

Table 18.42.030-1 below identifies allowed uses and corresponding permit requirements for the commercial and medical/professional office districts subject to compliance with Chapter 18.34 (Land Use Classification) and all other provisions of this title. Descriptions/definitions of the land uses can be found in Division V (Definitions). The special use regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Use regulations in the table are shown with representative symbol by use classification listing: “AR” symbolizes uses permitted through administrative review, “P” symbolizes uses allowed by right, “CUP” symbolizes uses that require approval of a conditional use permit, and “N” symbolizes uses that are not permitted.

Table 18.42.030-1 Permitted Use Matrix for Commercial and Medical/Professional Office Districts

Commercial and Medical/Professional Office Zoning Districts (See Section 18.42.020 for descriptions)						
	NC	HSC	DC	GC	MPO	Special Use Regulations
Retail, Service, and Office Uses						
Gun shops	CUP	CUP	CUP	CUP	N	

Chapter 18.64 Home Occupations

Section 8.64.040 Prohibited home occupations.

The following uses are expressly prohibited as home occupations:

I. Weapons and ammunition sales and service.

Chapter 18.96. Land Use Definitions

Section 18.96.060 Retail, service, and office uses.

"Gun shop" means any retail sales business engaged in the selling, leasing, purchasing, or lending of guns, firearms, or ammunition.

Perris Code of Ordinances

Codified through Ordinance No. 1369, Adopted August 28, 2018. (Supp. No. 4)

Title 5 Business Regulations and Licenses
Chapter 5.46 Swap Meets

Section 5.46.130 Prohibited articles.

It is unlawful for any person to exchange, barter, trade or sell in a swap meet, the following items of personal property: firearms, ammunition, explosives, any item of personal property from which the serial number or identifying number has been removed, any and all other items of personal property which may be prohibited from being exchanged, bartered, traded or sold by ordinance or resolution by the city council, or the laws of the state, or by any laws regulating the health and welfare of the city, the county or the state.

Pinole Code of Ordinances

Codified through Ordinance No. 2018-03, passed October 16, 2018.

Title 17 Zoning Code
Article IV. Standards for Specific Land Uses
Chapter 17.63 Firearm Sales

Section 17.63.020 Permit required.

A. It shall be unlawful under this chapter for any person to engage in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offer or expose for sale, transfer or lease, any firearm unless he or she has been issued a license as required by this chapter. "Engage in the business" means the conduct of a business by the selling, leasing, or transferring of any firearm; or the preparation for such conduct of business, as evidenced by the application for or securing of applicable state or federal licenses; or the holding of oneself out as engaged in the business of selling, transferring, or leasing of any firearms; or the selling, transferring or leasing of firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.

B. Such license shall consist of a permit issued by the Police Chief after a determination by the Police Chief that the applicant meets the standards for obtaining a permit based on the criteria contained herein.

C. A person shall not be deemed licensed to sell firearms until that person has obtained the permit from the Police Chief, a conditional use permit for the business site from the Planning Commission, and a city business license.

Section 17.63.030 Application and fees.

An applicant for a permit under this chapter shall file with the Police Chief an application in writing, under penalty of perjury, on a form to be furnished by the city or as information requested to demonstrate compliance with this chapter, including a floor plan of the proposed business which illustrates the applicant's compliance with the security provisions of Section 17.63.080D of this chapter. The application shall also include a certification by the city's Community Development Department that the business will not be located in a zoning district in which the operation of firearms business is prohibited by law. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state and local laws, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee for administering this chapter, to be established by resolution of the City Council.

Section 17.63.040 Investigation by the police chief.

The Police Chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The Police Chief may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the Police Chief, and any other additional information which the Police Chief deems necessary to complete the investigation.

Section 17.63.050 Grounds for denial of permit.

The Police Chief shall give the applicant written notice of the Chief's decision to deny or revoke the application. The notice shall set forth the ground or grounds for the chief's decision, and shall inform the applicant that he or she has ten (10) days from the date the notice was mailed within which to file a written request for a hearing with the Chief. The Police Chief shall issue a permit unless he finds one or more of the following:

A. The applicant, or an officer, employee or agent thereof, is under the age of twenty-one (21) years;

B. The applicant is not licensed as required by all applicable federal or state laws, or the operation of the business as proposed will not comply with all applicable federal, state, and local laws, including, but not limited to any of the following:

1. The applicant has failed to provide a copy of his or her valid federal firearm's license.

2. The applicant has failed to provide a valid seller's permit issued by the State Board of Equalization.

3. The applicant has failed to provide a copy of his or her valid certificate of eligibility issued by the Department of Justice;

C. The applicant's inventory does not conform to the type of federal or state firearms permit issued to the applicant;

D. The applicant, or an officer, employee or agent thereof, has had a similar type permit previously revoked or denied for good cause within the immediately preceding two (2) years;

E. The applicant, or an officer, employee or agent thereof, has knowingly made any false or misleading statement of a material fact in the application for a permit;

F. The applicant, or an officer, employee or agent thereof, fails or refuses to provide clear evidence of his or her identity, or any other information required by the Police Chief to complete his investigation;

G. The applicant, or an officer, employee or agent thereof, has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable federal, State and local laws.

2. Any offense relating to the manufacture, sale, possession, use of registration of any firearm or dangerous or deadly weapon.

3. Any offense involving the use of force or violence upon the person of another.

4. Any offense involving theft, fraud, dishonesty or deceit.

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the State Health and Safety Code, as it may be amended from time to time;

H. The applicant, or any officer, employee or agent thereof, is currently or has been within the last two years, an unlawful user of any controlled substance as defined by the State Health and Safety Code, as it may be amended from time to time, or is an excessive user of alcohol, to the extent that such use would impair his fitness to be a dealer in firearms;

I. The applicant, or any officer, employee or agent thereof, is within the classes of person defined in California Welfare and Institutions Code Sections 8100 or 8103 as they now read, or may hereafter be amended to read.

Section 17.63.060 Grounds for revocation.

In addition to any provisions contained in this chapter, any circumstances constituting grounds for denial shall also constitute grounds for revocation.

Section 17.63.070 Police chief permit hearing.

A. Any person whose application for a permit has been denied, or whose permit has been revoked by the Police Chief, shall have the right to a hearing before the Police Chief prior to the final denial or revocation of the permit.

B. Within ten (10) days of mailing of the written notice of intent to deny the application, or revoke the permit, the applicant may appeal by requesting a hearing before the Police Chief. Such a request must be made in writing and must set forth the specific grounds for the appeal. If the applicant files a timely request for a hearing, the Police Chief shall set a time and place for the hearing within thirty (30) days thereafter. The decision of the Police Chief to deny the application shall be in writing and shall be rendered within ten (10) days of the hearing.

C. An applicant may appeal the Police Chief's denial or revocation of a permit to the City Manager by filing a written appeal with the City Manager within ten (10) days of the action. Such an appeal hearing must set forth the specific grounds for appeal. If the applicant files a timely request for a hearing, the City Manager shall set a time and place for the hearing within thirty (30) days thereafter. The decision of the City Manager concerning the application shall be in writing and shall be rendered within ten (10) days of the hearing.

Section 17.63.080 Police chief permit conditions.

The permit issued by the Police Chief shall be deemed to contain the following terms and conditions, unless otherwise indicated on the permit:

A. The permittee shall conduct business only in the premises designated in the permit. This requirement, however, shall not prohibit the permittee from participating in gun shows of events which are specifically authorized by federal and state law upon compliance with federal and state law.

B. The permit issued by the Police Chief, or a copy thereof, certified by the Police Chief, shall be displayed on the premises and at gun shows where it can be easily seen.

C. No firearms shall be delivered:

1. Within ten (10) days of the application for the purchase, or within ten (10) days after submitting corrected copies of the register or any fee required by State Penal Code Sections 28225, whichever is later, or within any timelines otherwise set forth in Penal Code Sections 27540.

2. Unless unloaded and securely wrapped or in locked container which is fully enclosed and securely locked by a padlock or similar locking device as required by state Penal Code Sections 16850 and 25610(a).

3. Unless the purchaser or transferee presents clear evidence of his or her identity and age, as required by Penal Code Section 27540(c).

4. If the permittee is notified by the State Department of Justice that a purchaser is in a prohibited class described in State Penal Code Sections 29800 through 29825 or State Welfare and Institutions Code Sections 8100 or 8103.

D. All firearms kept in the licensed place of business shall be stored using one of the following methods as to each particular firearm:

1. Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

2. Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

3. Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

4. As used in this section, a "**secure facility**" means a building that meets all of the following specifications:

a. All perimeter doorways shall meet on the following:

(i) A windowless steel security door equipped with both a deadbolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five (5) inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine (9) gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

b. All windows are covered with steel bars.

c. Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

d. Any metal grates have spaces no larger than six (6) inches wide measured in any direction.

e. Any metal screens have spaces no larger than three (3) inches wide measured in any direction.

f. All steel bars shall be no further than six (6) inches apart.

5. Upon written request from a permittee, the Police Chief may grant an exemption from compliance with this sub-paragraph D if the permittee is unable to comply with these requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the permittee.

E. No pistol, revolver, or other firearm capable of being concealed upon the person or imitation thereof, or placard advertising their sale or other transfer, shall be displayed in any part of the premises where it can readily be seen from the outside.

F. Permittee shall properly and promptly process firearms transactions pursuant to State Penal Code Sections 28050 through 28070.

G. Permittee shall keep a register of sales as required by State Penal Code Sections 28100 through 28180.

H. Permittee shall not sell, deliver or transfer any pistol, revolver or other firearm capable of being concealed upon the person to any person under twenty-one (21) years of age or any other firearm to any person under eighteen (18) years of age.

I. Permittee shall post conspicuously within the licensed premises, all charges and fees required by Penal Code Section 26875, and the following warning in block letters not less than one (1) inch in height:

"IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT YOU MAY BE FINED OR SENT TO PRISON."

J. No pistols, revolvers or firearms capable of being concealed upon the person shall be delivered unless the purchaser or transferee presents to the permittee a basic firearm safety certificate.

K. Permittee shall offer to provide the purchaser or transferee of a firearm a copy of the pamphlet described in State Penal Code Section 34205 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

L. Permittee shall report the loss or theft of any firearm that is merchandise of the permittee, any firearm that the permittee takes possession of pursuant to Penal Code Section 26885, or any firearm kept at the permittee's place of business within forty eight (48) hours of discovery to the Pinole Police Department.

M. Permittee shall install an alarm system monitored by a Police Chief-approved alarm company.

N. Permittee shall install a surveillance camera system approved by the Police Chief.

Section 17.63.090 Permit assignment.

The assignment or attempt to assign any Police Chief permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign shall render the permit null and void.

Section 17.63.100 Liability insurance.

A. No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city deems proper, executed by an insurance company approved by the city whereby the applicant or permittee is insured against liability for all activities of the permittee, including damage to property and for injury to or death of any person. The minimum liability limits shall not be less than one million dollars ($1,000,000) combined, single limit personal injury and property damage for each occurrence. The insurance shall be occurrence based insurance. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the city, addressed in care of the Chief of Police, 880 Tennent Avenue, Pinole, CA 94564, at least thirty (30) days immediately prior to the time such cancellation becomes effective. Upon expiration of any such policy and if no additional insurance has been secured prior to the expiration thereof in the manner provided for the initial securing of a permit under this chapter, the permit shall be deemed cancelled without further notice or opportunity to be heard.

B. Such policy of insurance shall name the city, its officers, agents, and employees as additional insured. Additionally, applicant and permittee, as a condition of issuance of any permit under this chapter, agree to indemnify, defend and hold harmless the city, its officers, agents, and employees, from any claims arising from the negligence of the applicant or permittee.

C. Prior to the issuance of any permit, applicant shall furnish the city with complete copies of the above required insurance policies, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf.

Section 17.63.110 Expiration of police chief permit.

A. Police Chief permits shall expire one year after the date of issuance. Such permits may be renewed by the Police Chief for additional one year periods upon the permittee's submission of an application for renewal, accompanied by a non-refundable renewal fee as established by City Council Resolution. The completed renewal application and the renewal fee must be received by the Police Chief no later than forty-five (45) days prior to the expiration of the current permit.

B. The Police Chief shall inform the Community Development Director or designee when a permit expires or is revoked, or when renewal is denied by the Police Chief so that proceedings to revoke the use permit can be initiated.

C. A decision by the Police Chief regarding renewal of the permittee's Police Chief permit may be appealed in the manner provided for in Section 17.63.070.

Section 17.63.120 Conditional use permit application.

When the applicant has obtained a Police Chief permit, the applicant may apply for a conditional use permit pursuant to Chapter 17.12 of this Code. The applicant shall provide all information requested by the Community Development Director

or designee. No use permit application shall be deemed complete until the applicant has shown possession of a valid Police Chief permit for such use.

Section 17.63.130 Possessory interest in the property.

No application for a use permit shall be processed until the applicant provides proof satisfactory to the Community Development Director that the applicant, officer, employee or agent thereof is the owner of record of the real property at which the proposed business will be conducted, or has a lease, license or other entitlement to operate such business at such location and the written consent of the owner of record of such real property.

Section 17.63.140 Site restrictions.

No conditional use permit for firearm sales may be issued for any location which is:

A. Within a zoning district in which residential use is the principal permitted or maintained use. Notwithstanding anything to the contrary in this code, home occupation permits for the conduct of any business under this chapter shall be prohibited. The location of such businesses in and around homes is hereby declared a public nuisance. This section is expressly made retroactive to all such businesses operating in such residential zones.

B. Within any zoning district other than Regional Commercial (RC), Commercial Mixed Use (CMU), or Office Industrial Mixed Use (OIMU).

C. Within 500 feet of the exterior limits of any premises occupied by a public or private day care center or day care home, elementary school, junior high school or high school, whether public or private.

D. Within 500 feet of the limits of a public park.

E. All distances referred to in this section shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a permittee occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied.

F. Businesses governed by the provisions of paragraphs C and D of this section, which are in full compliance with all local, state and federal laws prior to the effective date of this chapter, including but not limited to zoning and business license laws, shall not be required to obtain a use permit unless such businesses lose their non-conforming use status as provided in Chapter 17.14. Such businesses shall, however, be required to comply with all other provisions of this chapter.

Section 17.63.150 Use permit conditions.

All use permits approved by the Planning Commission shall be deemed to contain all of the following terms and conditions, unless otherwise conditioned:

A. The possession of a valid Police Chief permit.

B. The possession of all licenses and permits required by federal or state laws.

C. Compliance with all of the terms and conditions contained in Section 17.63.080.

D. Compliance with all of the requirements of the city's Building Code, the Fire Code, and any other technical code or regulation of the city which may govern the use, occupancy, maintenance, construction or design of buildings or structures. The use permit shall also contain a condition that the applicant must obtain a final inspection from the city Building Official or designee demonstrating full code compliance before the applicant may commence business at the premises at issue.

E. A method of storage of inventory which is explosive or flammable at the proposed business site shall be in compliance with federal and state law and with the city's Fire Code.

F. All other conditions deemed by the Planning Commission to be necessary and proper to protect the public interest and welfare.

Section 17.63.160 Authority to inspect.

Any applicant for a Police Chief permit or a conditional use permit under this Chapter shall be deemed to expressly consent and grant to any investigation officials of the city the right to enter the premises for which the Police Chief permit and use permit was obtained, without a warrant, from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, and health regulations, as well as the provisions of this chapter and all applicable federal, state and local law. Such right to enter and inspect without a warrant shall be deemed a condition of approval of any permit issued under this chapter.

Section 17.63.170 Revocation of use permit.

If the Police Chief, Building Official, or any other person has reason to believe that the permittee is not in full compliance with any conditions imposed pursuant to this chapter, a report shall be made to the Community Development Director.

After an investigation of the facts contained in the report, the Community Development Director may commence proceedings to revoke the use permit pursuant to Chapter 17.10 of this code.

Section 17.63.180 Firearm ammunition.

Firearm ammunition sales shall comply with those regulations and procedures required for a firearm sales Police Chief permit.

Chapter 17.64 Home Occupations

Section 17.64.045 Uses that are not allowed.

The following uses shall not in any case qualify as a home occupation:

A. Firearm or firearm ammunition sales.

Pismo Beach Code of Ordinances
Codified through Ordinance No. O-2018-014, passed October 2, 2018.

Title 17 Zoning Ordinance (1983 Code)*
Chapter 17.115 Home Occupations

Section 17.115.050 Types of prohibited uses.

The following uses by the nature of the operation are deemed to be incapable of meeting the above conditions and are thereby excluded from the definition of "home occupation":

M. Mail order gun sales;

Pittsburg Code of Ordinances
Codified through Ordinance No. 18-1451, passed July 16, 2018.

Title 5 Business Licenses and Regulations
Division II Specific Regulations
Chapter 5.60 Retail Sale of Firearms

Section 5.60.010 Firearms sale licensing requirements.

A. No person shall sell at retail any firearm within the city limits without first obtaining a retail license to sell firearms from the director of finance.

B. The director of finance shall administer the licensing process, including preparation of application forms and collection of fees (as set by council resolution), consistent with the authority and responsibility given to the city under Penal Code Section 12071. The director of finance may delegate authority to issue or deny a license to a designated representative.

C. No retail license to sell firearms shall be issued, reissued, or extended until the chief of police conducts an investigation and recommends approval in writing. The chief of police may delegate this authority to investigate and make recommendations to a designated representative.

D. No license shall be valid for more than one year from the date of issuance. [Ord. 1040 § 1, 1992.]

Section 5.60.020 Licensing criteria.

The investigation and recommendation by the chief of police on an application for a retail license to sell firearms shall be based on the following criteria:

A. The security of the business premises from burglary and robbery considering the structure of the building, locks, alarms and any private security surveillance;

B. The safety of the public and the business' employees and customers considering the level of criminal activity in the area where the business is located;

C. The applicant's criminal history, if any;

D. The applicant's history of compliance with (1) Title 2 of the Penal Code concerning the control of deadly weapons, especially the prohibitions and requirements of Article 4 of the title on licenses to sell firearms, and (2) licenses issued previously by the city or other agencies under Penal Code Section 12071;

E. The number of firearms dealers in the neighborhood and the city as a whole;

F. The proximity of the business to schools, churches and residential areas and compliance with the zoning code; and

G. The likelihood that the business will create or exacerbate nuisance, police or law enforcement problems in the neighborhood.

Title 18 Zoning
Division II Base District Regulations
Chapter 18.50 Residential Districts (R)
Article V Home Occupations

Section 18.50.415 Uses not permitted as home occupations.

The following occupations or activities and every similar use when conducted on a commercial basis and performed on the site of the applicant's dwelling may not be considered a home occupation and therefore not permitted in an R district.

E. Sale or servicing of firearms or ammunition;

Placentia Code of Ordinances
Codified through Ordinance No. O-2017-12 and the March 2018 code supplement.

Title 10 Peace, Morals and Safety
Chapter 10.12 Dangerous Weapons

Section 10.12.030 Discharge of firearms within city—Possession by minors in public.

(a) It is unlawful for any person to allow or permit a minor under eighteen years of age to have or to carry any gun or device set forth in this section upon any public thoroughfare or upon any public property or in any vehicle within the city.

(b) It is unlawful to sell, give away, barter, or trade, any gun, pistol, or firearms or any air gun or pistol or any spring gun or pistol or any device that shoots or propels pellets or missiles by any means, to any minor under the age of eighteen years.

(c) It is unlawful to sell, give away, barter, or trade any ammunition, pellets, missiles or any device used for shooting from pistols, guns or firearms, or any spring-loaded gun or pistol or device that shoots or propels or missiles by any means to any person under the age of eighteen (18) years without the written consent of the police department.

(d) It is unlawful for any parent, juvenile, or any person to transport or have shipped into the city any of the abovementioned items for the use of any person under the age of eighteen (18) years.

(e) Nothing in this section shall be deemed to prohibit any person from carrying or transporting a rifle, shotgun, spring gun, pellet gun, airgun, or other firearm to any bona fide target range or while going to or returning from a hunting trip or other lawful sport.

Placer County Code of Ordinances
Codified through Ordinance No. 5922-B and the October 2018 code supplement.

Chapter 5 Business Licenses and Regulations
Article 5.16 Special Business License
Part 2 Types of Businesses

Section 5.16.240 Firearms.

A. The county, pursuant to California Penal Code Section 12071, is required to establish a procedure, as prescribed by the California Attorney General, for the licensing of firearms dealers in the unincorporated area of the county. Further, Chapter 30 of the Placer County Code provides for the operation of a firearms sales and repair business as a type of home occupation, subject to a minor use permit issued by the county planning department, prior to obtaining a county business license or other local approvals. Once all applicable fees have been paid and all associated conditions and approvals have been secured, the applicant will be issued a special business license in the form prescribed by the California Attorney General.

B. An applicant for such license or renewal shall provide all information requested, including proof of compliance with all applicable federal, state and local laws when required by the county, or the application will not be deemed complete. Before a business license can be issued by the tax collector, the applicant must provide a copy of:

1. A valid federal firearms license (FFL) issued by the Bureau of Alcohol, Tobacco and Firearms;

2. A valid seller's permit issued by the State Board of Equalization;

3. A valid Certificate of Eligibility (COE) issued by the US Department of Justice.

C. A special business license for the licensing of firearms dealers requires the approval of the county sheriff.

Chapter 17 Zoning
Part 1 General Provisions
Article 17.04 Definitions

Section 17.04.030 Definitions of land uses, specialized terms and phrases.

"**Explosives manufacturing and storage**" (land use) means the commercial manufacturing and storage of all types of explosives, including, but not limited to, blasting powder and blasting caps, dynamite, fireworks, gunpowder, high explosives, and the manufacture of conventional explosives for weapons use (including ammunition, bombs, missile warheads, etc.). See Section 17.56.110 for specific use requirements applicable to explosives manufacturing and storage. (SIC: Groups 2892, 3482, 3483)

"**Weapons manufacturing**" (land use) means the manufacturing of nonexplosive weapons and weapons components, including but not limited to small arms, artillery, and missiles. The manufacture of conventional explosives for weapons use (including ammunition, bombs, missile warheads, etc.) is included under the definition of "Explosives manufacturing and storage." (SIC: Group 348)

Article 17.06 Zoning Districts Established

Section 17.06.050 Land use and permit tables.

A. Types of Land Uses Allowed. The uses of land allowed by this chapter in each zone and combining district established by Section 17.06.010 are identified in the following tables (subsection (D) of this section), and in Sections 17.06.060 et seq., (Zone district regulations). Land uses that are not listed on the tables in subsection (D) of this section, or are not shown in a particular zone district are not allowed, except where otherwise provided by Sections 17.06.030(B) (Exemptions from land use permit requirements), 17.56.030 (Temporary uses), or 17.02.050 (Allowable uses of land).

B. Type of Permit Required. When the tables in subsection (D) of this section and the zone and combining district requirements of Sections 17.06.060 et seq., show a particular land use as being allowable in a zone, the use is identified as being subject to one of the following land use permit requirements.

> **5.** Conditional Use Permit (CUP). These uses are allowable subject to approval of a conditional use permit ("CUP") (Section 17.58.130). Conditional use permit approval is required for certain land uses that may be appropriate in a zone, depending on the design of the individual project, and the characteristics of the proposed site and surroundings. Such uses can either raise major land use policy issues or could create serious problems for adjoining properties, the surrounding area, and their populations if such uses are not appropriately located and designed. The purpose of a conditional use permit is to allow planning department staff and the Placer County planning commission to evaluate a proposed use to determine if problems may occur, to provide the public with an opportunity to review the proposed project and express their concerns in a public hearing, to work with the project applicant to adjust the project through conditions of approval to solve any potential problems that are identified, or to disapprove a project if identified problems cannot be acceptably corrected.

All allowable land uses shall obtain any building permit or other permit required by this code (see Section 17.06.030(D)), in addition to the land use permit required by this section or Sections 17.06.060 et seq.

D. Tables. The following tables, and the lists of allowable uses in Sections 17.06.060 et seq., contain the same requirements for allowable uses and land use permit requirements. The tables in this section are for convenience, to simultaneously show all zone districts, the uses allowed within them, and the permit requirements applicable to each use.

Zone Districts																					
Land Use Types	Residential				Commercial							Industrial				Agricultural, Resource Open Space					
Manufacturing and Processing Uses - Continued	RS	RM	RA	RF	C1	C2	C3	CPD	HS	OP	RES	AP	BP	IN	INP	AE	F	FOR	O	TPZ	W
Explosives manufacturing and storage (Section 17.56.110)																CUP	CUP	CUP			
Weapons manufacturing														CUP	CUP						

Key To Permit Requirements

Conditional Use Permit required (Section 17.06.050)	CUP
Use not allowed	

Part 2 Zone Districts and Allowable Uses of Land
Division VIII Specific Use Regulations
Article 17.56 Specific Use Requirements

Section 17.56.120 Home occupations.

B. Limitation on Use. Home occupations shall be limited to activities carried on by the occupants of a dwelling as an accessory use to the principal use of the site as a dwelling, as follows:

1. Allowed Uses. For guidance, permitted home occupations include but are not limited to: …; sales or repair of firearms (provided that a minor use permit has first been obtained pursuant to the provisions of Section 17.58.120 of this chapter) or any other business that meets the intent and specific requirements of this section.

Pleasant Hill Code of Ordinances
Codified through Ordinance No. 924, passed November 19, 2018.

Title 9 Health, Safety and Welfare
Chapter 9.35 Firearms

Section 9.35.020 Definitions.

For the purposes of this chapter, any reference to a state or federal statute includes any amendments or renumbering that may be enacted from time to time. For the purposes of this chapter, the words, terms and phrases as defined in this section shall be construed as hereinafter set forth, unless it is apparent from the context that a different meaning is intended:

A. Antique firearm shall have the same definition as provided in 18 U.S.C. 921(a)(16).

B. Ammunition shall have the same definition as provided in California Penal Code section 16150 and includes handgun ammunition as defined in Penal Code section 16650, but does not include blanks, blank cartridges or ammunition that can be used solely in an antique firearm.

C. Chief of police shall mean the chief of police of the city of Pleasant Hill, California.

D. City shall mean the city of Pleasant Hill, California.

E. Engage in the business shall mean the conduct of a business by the selling, leasing, or transferring of any firearm or ammunition in quantity, in series or in individual transactions, or in any other manner indicative of trade.

F. Entity shall mean any individual, sole proprietorship, business enterprise, corporation, limited liability company or publicly traded corporation operated for profit, or a nonprofit organization engaged in business activities, such as a cooperative.

G. Firearm shall have the same definition as provided in California Penal Code sections 16520 and 11460.

H. Firearm sales shall mean the sale, transfer, lease, or offer for sale or lease, of a firearm. For purposes of this chapter, firearm sales shall include sale of ammunition.

I. Permit shall mean a police issued permit to engage in the business of firearms sales in the city pursuant to the provisions of this chapter.

J. Secure facility shall mean a building that meets all of the following specifications:

1. All perimeter doorways shall meet one of the following requirements:

a. A windowless steel security door equipped with both a deadbolt and a doorknob lock.

b. A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any direction, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

c. A metal grate or similar device that is padlocked and affixed to the premises independent of the door and doorframe.

2. All operable windows are covered with steel bars.

3. Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

4. Any metal grates have spaces no larger than six inches wide measured in any direction.

5. Any metal screens have spaces no larger than three inches wide measured in any direction.

6. All steel bars shall be no further than six inches apart.

7. A deviation from the requirements of this section may be approved by the chief of police upon consultation with the city's chief building official if, in the opinion of the chief of police, the level of security provided by the alternative feature(s) is sufficient to meet the public safety objectives of this section. The chief of police's determination under this section is not appealable but must be reviewed and re-evaluated by the chief of police upon the receipt of each annual report made pursuant to PHMC § 9.35.090.

Section 9.35.030 Police permit required for firearms sales.

It shall be unlawful for any entity to engage in the business of firearm sales in the city unless said entity obtains and maintains a permit issued by the chief of police as required by this chapter. This requirement is in addition to the requirement for obtaining and maintaining a city-issued business license and any and all required federal and state permits and licenses.

Section 9.35.040 Police permit – Application.

A. An applicant for a permit under this chapter shall file with the chief of police an application in writing, signed under penalty of perjury, on a form prescribed by the city. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including the following:

1. The name, age, street address, telephone number and email address of the applicant.

2. The street address, business name, email address and telephone number of the proposed location for which the permit is required.

3. Reserved.

4. Evidence of compliance with applicable zoning regulations.

5. A floor plan of the proposed business which illustrates the applicant's intended security measures to comply with all applicable state and federal laws and the regulations and conditions set forth in this chapter.

6. Proof of compliance with all applicable federal and state laws and regulations relating thereto.

7. Reserved.

8. Information relating to every revocation or denial of a license or permit relating to firearms held by the applicant, including, but not limited to, date and circumstances of any revocation.

9. Reserved.

10. Proof of satisfaction of insurance requirements as provided in PHMC § 9.35.110.D.

11. Whether the applicant, each officer of the entity and any person who will be engaged in the business of firearm sales in the city, by or on behalf of the applicant, has been convicted of any of the following types of offenses:

a. An offense which disqualifies or disqualified for a period of time the individual from owning or possessing a firearm under federal, state or local law;

b. An offense relating to the manufacture, sale, possession, use or registration of a firearm, or dangerous or deadly weapon as defined by the California Penal Code;

c. An offense involving the use of force or violence upon another person;

d. An offense involving theft, fraud, dishonesty or deceit;

e. An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code and regulations promulgated thereunder.

12. Reserved.

13. Proof of a current and valid certificate of eligibility ("COE") issued by the California Department of Justice ("DOJ") for the applicant and each person who will be engaged in the business of firearm sales in the city, by or on behalf of the applicant.

14. Affirmation by the applicant as follows:

I declare under penalty of perjury that the information contained herein is true and correct to the best of my knowledge. Further, I have read, understand, and will comply with applicable provisions of California Penal Code Part 6, Title 4 and regulations promulgated by the State of California relating to the sale, lease, or transfer of firearms; relating to recordkeeping, background checks, and fees relating to sale, lease, or transfer of firearms; and related to the sale, supply, delivery or transfer of ammunition. I understand that any false statement or omission of material information in connection with this application may be punished as provided by law, including civil and criminal sanctions, and may subject the applicant to a denial of permit, or the suspension, limitation, or revocation of any permit granted hereunder.

B. The application shall be accompanied by a nonrefundable fee, not to exceed $102.00, for administering this chapter. Such fee shall be established by city council resolution.

Section 9.35.050 Investigation by police – Determination time frame.

A. The chief of police or his or her designee shall conduct a review of the application and an appropriate investigation of the applicant to determine compliance with the provisions of this chapter.

B. Within 45 days following receipt of a fully completed application, the chief of police shall mail to the applicant, by overnight mail, a written notice of intent to grant or deny the application, complete with recitation of the grounds for the intent to grant or deny the application.

C. The chief of police shall conduct a background check of any person who will be engaged in firearm sales in the city. Any person who will be engaged in firearm sales in the city, prior to engaging in such sales, shall first submit directly to the Pleasant Hill police department a complete set of fingerprints. Notwithstanding any other provision of this chapter, failure of a person to submit a complete set of fingerprints to the Pleasant Hill police department will not be cause for denial or revocation of a permit issued under this chapter so long as that person will not be engaged in firearm sales in the city. The chief of police may not charge a fee for any background check performed under this subsection.

Section 9.35.060 Grounds for permit issuance.

A. The chief of police shall grant a permit to the applicant if he or she finds:

1. The applicant is in compliance with all applicable federal and state laws relating to firearm sales and the provisions of this chapter;

2. The applicant has all required federal, state and local permits and licenses; and

3. None of the conditions for denial or revocation as set forth in this chapter are present.

B. Such permit shall be conditioned on the applicant's compliance with all city codes. If the permit is granted, no entity shall engage in the business of firearm sales until all applicable appeal periods have expired, unless such entity was lawfully engaged in the business of firearm sales on the effective date of this chapter.

Section 9.35.070 Denial of permit.

A. The chief of police shall deny the issuance of a permit if one or more of the following conditions exist:

1. The applicant or any officer of applicant's entity, or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city, is under 21 years of age.

2. The applicant is not licensed as required by federal, state and local law or has failed to provide a copy of his or her valid licenses.

3. The applicant, any officer of applicant's entity, or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city has had a firearms permit or license previously revoked or denied for good cause within the immediately preceding two years prior to the date of application.

4. The applicant has made a false or misleading statement of a material fact, or omission of a material fact, in the application for a permit under this chapter. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of two years from the date of denial.

5. The applicant has failed to fully comply with the application requirements or the applicant, any officer of applicant's entity, or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city fails or refuses to provide clear evidence of his or her identity, or any other information required pursuant to the provisions of this chapter. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of one year from the date of denial.

6. The applicant, any officer of applicant's entity, or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city, has been convicted of:

a. An offense which disqualifies or disqualified for a period of time the individual from owning or possessing a firearm under federal, state or local law;

b. An offense involving the use of force or violence upon the person of another;

c. An offense involving theft, fraud, dishonesty or deceit;

d. An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the California Health and Safety Code and regulations promulgated thereunder;

e. The chief of police has the authority to deem a conviction for an offense under subsections A.6.a through A.6.d. of this section that is not permanently disqualifying under state or federal law as unlikely to adversely impact

applicant's firearm sales business in the city due to factors including, but not limited to, remoteness in time. The chief of police's determination under this subsection A.6 is not appealable but must be reviewed and re-evaluated by the chief of police upon the receipt of each annual report made pursuant to PHMC § 9.35.090.

f. The chief of police shall not deem an arrest or detention that did not result in conviction, or information concerning a referral to, and participation in, any pretrial or posttrial diversion program, as disqualifying any person from engaging in firearm sales in the city.

7. The applicant or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city has been convicted of an offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon.

8. The applicant or any person who will be engaged in the business of firearm sales by or on behalf of the applicant in the city is prohibited from possession or sale of firearms pursuant to Part 6, Title 4 of the California Penal Code.

9. The operation of the business as proposed would not comply with federal, state and local laws, including the provisions of this chapter.

10. The operation of the firearm sales business as proposed would not be in compliance with applicable zoning regulations.

Section 9.35.080 Process for approval – Appeals and calls for review.

A. Within 45 days of receipt of a completed application, the chief of police shall issue a written notice of intent to either approve or deny the application. The notice of intent shall be delivered to the applicant, posted via link on the landing page of the city's website, communicated as an attachment to the city's weekly update, and mailed to all residents and businesses within 300 feet of the intended business location.

B. Within 10 business days of the mailing of the written notice of intent to either approve or deny the application, any person may appeal the chief of police's decision by requesting a hearing before the chief of police. The request must be made in writing, setting forth the specific ground(s) under this chapter for the appeal, and must be delivered to the police department by hand or by overnight mail (deposited, in the case of overnight mail, within the 10-day period). If the person appealing the notice of intent submits a timely request for an appeal, the chief of police shall, within 10 business days, set a time and place for hearing (with notice to the applicant and, if applicable, appellant parties by overnight mail), such hearing to be initiated within 45 days of the date of the request for appeal and fully concluded within 60 days of the date of the request for appeal.

C. Within 30 days of the conclusion of the hearing, the written decision of the chief of police shall be delivered via overnight mail to the applicant and, if applicable, appellant, at the physical address specified by the appellant/applicant. Notice shall be concurrently delivered to the city manager and the city attorney. The decision of the chief of police is final 10 days after the date of the written notice of the decision, unless an appeal is made of the decision.

D. An applicant may appeal the chief of police's denial of a permit to the city manager by filing a written appeal with the city manager within 10 days of the denial. The appeal filing shall be made in person at City Hall during regular business hours or by overnight mail (deposited, in the case of overnight mail, within the 10-day period). Such an appeal filing must set forth the specific grounds for appeal. If the applicant files a timely request for a hearing, the city manager shall, within 10 business days, set a time and place for hearing (with notice to the applicant by overnight mail), such hearing to be initiated within 30 days of the date of the request for appeal and fully concluded within 45 days of the date of the request for appeal. The decision of the city manager concerning the application shall be in writing and shall be delivered to the applicant via overnight mail within 30 days of the conclusion of the hearing, to the physical address specified by the applicant. Notice shall be concurrently delivered to the city attorney. The decision of the city manager is final 10 days after the date of the written notice of the decision, unless an appeal is made of the decision.

E. The applicant may appeal the city manager's decision to the city council by filing a written notice of appeal with the city clerk within 10 business days from the date of the city manager's written determination. The notice and hearing procedures before the city council are the same as those in subsection D of this section. The council may continue the hearing from time to time for good cause. The decision of the city council is final.

F. Call for review. Any decision of the chief of police pursuant to this section may be called up for review by the city manager. Any decision of the chief of police or city manager may be called up for review by a member of the city council. A call for review must be submitted in writing in the same time and manner as for an appeal.

Section 9.35.090 Annual report required.

On the annual anniversary of the effective date of their permit, each permittee shall submit to the chief of police a report describing their conformance with the provisions of this chapter during the previous year. In addition to the annual report each permittee and each person who is engaged in the business of firearm sales by or on behalf of the permittee in the city shall submit a renewed or current certificate of eligibility from the California Department of Justice.

Section 9.35.100 Revocation of permit.

A. In addition to a violation of any provision contained in this chapter, the following circumstances constitute grounds for revocation of the permit:

1. Circumstances constituting grounds for denial of a permit;

2. Failure to maintain a policy of insurance required by PHMC § 9.35.110.D;

3. Failure of a permittee to comply with the requirements of PHMC § 9.35.110.F.

B. The chief of police shall give the applicant written notice of his or her decision to revoke the permit. The notice shall be delivered by overnight mail to the permittee's address of record with the city and shall set forth the ground(s) for the decision. The notice shall also inform the applicant that he or she has 10 days from the date the notice was mailed within which to file a written request for a hearing with the chief of police. The hearing and appeal process relating to revocations shall be as set forth in PHMC § 9.35.080.

Section 9.35.110 Conditions of approval for a permit.

In addition to the other requirements and conditions of this chapter, a permit is subject to the following conditions, the breach of any of which is sufficient cause for denial or revocation of a permit:

A. The permittee shall comply with all applicable provisions of the Penal Code including, but not limited to, sections 16400, 26805, 26810, 26815, 26820, 26825, 26830, 26835, 26840, 26865, 26875, 26885, 27505, 27510, 28050 through 28070;

B. The applicant shall not permit any person under 18 years of age to enter or remain within the area of the premises where the firearms sales activity is the primary business performed without being accompanied by a parent or other adult legally responsible for the minor;

C. Reserved.

D. The permittee shall maintain at all times while engaged in the business of firearms sales in the city a policy of insurance in a form approved by the city, providing the following:

1. The applicant and permittee is insured for all activities of the permittee against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm, such policy(ies) containing an endorsement naming the city and its officers, employees and agents as additional insureds;

2. Minimum liability limits of not less than $1,000,000 for each occurrence (including each incident of damage to property or incident of injury or death to a person);

3. An endorsement providing that the policy shall not be canceled until notice in writing has been given to the city manager and chief of police at least 30 days before the time the cancellation becomes effective.

E. The permittee shall re-apply for a permit from the city if there is a change in business location. Expansion of an existing business at an existing location, including within the same shopping center or site, is not deemed a change in business location.

F. The permittee shall maintain records of all employees selling firearms, identifying them by name, address, date of birth and social security number. The applicant shall notify the city within 10 days of any changes in employees and submit the required identification information for each newly hired or re-assigned employee.

G. The permittee shall at all times comply with all of the requirements of the city's municipal code.

H. The permittee must obtain a final inspection from the city demonstrating compliance with the municipal code, including the provisions of this chapter, before the applicant may commence firearm sales at the premises.

I. Storage of inventory which is explosive or flammable at the proposed business site shall be in compliance with federal, state and local laws.

J. Permittee shall keep or store all firearms in the permitted premises in accordance with the provisions of Part 6, Title 4 of the California Penal Code, and, using one of the following methods as to each particular firearm:

1. Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

2. Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

3. Store the firearm in a locked fireproof safe or vault in the permittee's business premises.

K. Permittee must comply with all applicable provisions of California Penal Code Part 6, Title 4 and regulations promulgated by the state, as well as all applicable federal laws and regulations, relating to the following:

1. The sale, lease, or transfer of firearms;

2. Recordkeeping, background checks, and fees relating to sale, lease, or transfer of firearms; and

3. The sale, supply, delivery or giving of ammunition.

L. Permittee shall install and maintain in working order an alarm system monitored by a central station listed by Underwriters Laboratories, Inc. and covered by an active Underwriters Laboratories, Inc., alarm system certificate providing complete protection for all accessible openings and partial motion and sound detection at certain other areas of the premises (also known as a system with a No. 3 extent of protection). The chief of police may waive this requirement if, in the discretion of the chief of police, the premises is otherwise sufficiently secure to meet the public safety objectives of this chapter. The chief of police's determination under this subsection L is not appealable but must be reviewed and re-evaluated by the chief of police upon the receipt of each annual report made pursuant to PHMC § 9.35.090.

M. Permittee shall install a video surveillance system that meets the following requirements:

1. The system includes cameras, monitors, digital video recorders and cabling, if necessary;

2. The number and location of the cameras are subject to the approval of the chief of police. At a minimum, the cameras shall be sufficient in number and location to monitor the critical areas of the business premises, including, but not limited to, all places where firearms or ammunition are stored, handled, sold, transferred, or carried, including, but not limited to, all counters, safes, vaults, cabinets, cases, entryways, and parking lots. The video surveillance system shall operate continuously, without interruption, whenever the location is open for business. Whenever the location is not open for business, the system shall be triggered by a motion detector. Whenever motion is detected, the system shall begin recording immediately;

3. The sale or transfer of a firearm or ammunition shall be recorded by the video surveillance system in such a way that the facial features of the purchaser or transferee are clearly visible;

4. The stored images shall be maintained on the business premises of the permittee for a period of not less than one year from the date of recordation and shall be available for inspection by federal, state or local law enforcement upon request;

5. The video surveillance system shall be maintained in proper working order at all times. The permittee shall inspect the system on a regular basis to ensure that it is operational as required by the provisions of this section;

6. The permittee shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height:

THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

7. The chief of police may waive the requirements of this subsection M if, in the discretion of the chief of police, the premises is otherwise sufficiently secure to meet the public safety objectives of this chapter. The chief of police's determination under this subsection M is not appealable but must be reviewed and re-evaluated by the chief of police upon the receipt of each annual report made pursuant to PHMC § 9.35.090.

N. Reserved.

O. Each permittee shall comply with all applicable laws regulating the sale of ammunition.

P. All entities engaged in the business of firearms sales in the city shall comply with the provisions of the California Penal Code related to purchase, sale and possession of firearms by persons under the age of 21.

Section 9.35.130 Permits not assignable.

A permit issued under this chapter is not assignable. The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful; and any such assignment or attempt to assign shall render the permit null and void. Any new owner of a permitted firearm sales business is required to apply for a new permit pursuant to the provisions of this chapter.

Section 9.35.140 Compliance by existing firearms sellers.

An entity engaged in the business of firearm sales on the effective date of this chapter shall, by June 30, 2016, comply with the provisions of this chapter.

Section 9.35.150 Authority to inspect.

The Pleasant Hill police department shall have the right, without warrant, to inspect the premises for which the permit was obtained on the following conditions:

A. The scope of the inspection is limited to determining compliance with the recordkeeping (PHMC § 9.35.110.F) and security (PHMC §§ 9.35.110.J, L, M) requirements of this chapter;

B. The inspection shall be conducted not more often than once every six months;

C. The inspection shall be conducted during regular business hours; and

D. The inspection shall be conducted at a time and in a manner that will minimize business interruption. (Ord. 896 § 1, 2016; Ord. 876 § 1, 2013)

Section 9.35.160 Violations.

It is unlawful for any entity to engage in the business of firearm sales in the city without the local permit required by this chapter.

Section 9.35.210 Rules and regulations.

The chief of police is authorized to make all necessary and reasonable rules and regulations with respect to the enforcement of this chapter. All such rules and regulations shall be consistent with the provisions of this chapter.

Section 9.35.220 Severability clause.

If any section, subsection, sentence or clause of this chapter is for any reason declared unconstitutional or invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this chapter or any part thereof. The city council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity or unenforceability of any one or more of its sections, subsections, sentences or clauses.

Title 14 Buildings and Construction
Chapter 14.55 Building Security

Section 14.55.060 Commercial security provisions.

C. Intrusion detection devices.

2. Each establishment listed below shall have as a minimum either a central station alarm (supervised service) or a silent or local alarm (bell outside premises):

a. Guns and ammunition;

Title 18 Planning and Land Use
Part 1 General Provisions
Chapter 18.15 Use Classifications

Section 18.15.040 Commercial use classifications.

Firearm sales. The sale, transfer, lease, or offer for sale or lease of a firearm. For purposes of this chapter, firearm sales shall include sale of ammunition, and the terms “firearm” and “ammunition” shall have the same meanings as set forth in PHMC § 9.35.020. See also PHMC § 9.35.020 (Definitions).

Part 2 Base District Regulations
Chapter 18.20 R – Residential Districts

Section 18.20.070 Home occupations

D. Prohibited activities. Home occupations may not include:

5. Activities that involve engaging in the business of firearm sales. Any entity or person engaged in the business of firearm sales pursuant to a home occupation permit in effect as of the effective date of the ordinance codified in this section shall be exempt from this subsection and the locational restrictions for firearm sales in PHMC Chapter 18.25 (except as to ammunition sales) if the home occupation use is limited solely to those activities that were both permitted by terms of the permit issued before the effective date of the ordinance codified in this section and legally engaged in by the entity or person at the home-based location before the effective date of the ordinance codified in this section. Any such entity or person may continue firearm sales at its existing home-based location pursuant to any valid permits and licenses so long as the operator remains fully licensed by all agencies (including, without limitation, obtaining and maintaining the permit required by PHMC Chapter 9.35), and has not sold, transferred or assigned operation of the business after the effective date of the ordinance codified in this section to any other entity.

Chapter 18.25 Commercial, Retail Business, Neighborhood Business, Office and Light Industrial Districts

Section 18.25.020 Land use regulations for all commercial, retail business, neighborhood business, office and light industrial districts.

Schedule 18.25.020 establishes the uses allowed for each commercial, office and light industrial zoning district as indicated by the letter designations as follows:

"P" designates use classifications permitted in commercial, retail business, neighborhood business, office and industrial districts.

"U" designates use classifications permitted on approval of a use permit.
"T" designates use classifications allowed on approval of a temporary use permit.
"L" followed by a number designates use classifications subject to certain limitations listed by number following the schedule.

The uses listed are based on the use classifications set forth in PHMC Chapter 18.15. Use classifications not listed are prohibited unless authorized by zoning administrator resolution under PHMC § 18.15.010. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this chapter.

Schedule 18.25.020 NB, RB, PAO, C, and LI Districts: Land Use Regulations						
P Permitted U Use Permit Required T Temporary Use Permit Required L Limited (see specific limitations listed following schedule) – Not Permitted						
	NB	RB	PAO	C	LI	Additional Use Regulations
Commercial Uses						
Firearm sales	–	L-16	L-16	L-16	L-16	This regulation also applies to firearms sales in any planned unit district (PUD).

L-16 Permitted, subject to the requirements in PHMC § 18.25.160 for firearm sales uses.

Section 18.25.160 Firearm sales uses.

The following regulations apply to firearm sales businesses. The findings set forth in PHMC § 9.35.010.A are hereby incorporated by reference. The purpose of this section is to advance the public health, safety, and welfare by imposing reasonable locational restrictions on any entity that establishes a firearm sales business in the city. For purposes of this section, "**firearm sales**" shall have the same meaning as set forth in PHMC § 18.15.040.

A. Locational restrictions.

1. Subject to the other limitations of this chapter and the Pleasant Hill Municipal Code, firearm sales may be located in any general commercial district, retail business district, professional and administrative office district, light industrial district, and planned unit district.

2. In those districts where a business engaged in firearm sales may otherwise be located, it shall be unlawful to establish any such firearm sales business unless the applicant provides proof that the property where the proposed firearm sales will be conducted is not:

a. Within 150 feet from any residence, when measured from the property line of any residence to the door of the firearm sales business that is nearest to that same property line of the residence;

b. Within 1,000 feet of the exterior limits of any building premises occupied by a day care that is designated as a large family day care, PHMC § 18.15.020, or general day care, PHMC § 18.15.030, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied;

c. Within 1,000 feet of the property line of any elementary school, junior high school, high school, college or university, whether public or private, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied;

d. Within 500 feet of the property line of a public park, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied.

3. Notwithstanding any other provision of this section, a firearm sales business may be located on any part of a parcel in a general commercial district, retail business district or planned unit district if an applicant provides proof that any portion of said parcel is not within the locational restrictions in subsections A.2.a through d of this section.

4. Consistent with the use regulations in this chapter for any retail sales in a professional and administrative office district (L-2 in PHMC § 18.25.020), a firearm sales business may only be located in a professional and administrative office district as an accessory use if limited to the ground floor, as specified in PHMC § 18.25.060.

5. Consistent with the use regulations in this chapter for any retail sales in a light industrial district (L-4 in PHMC § 18.25.020), a firearm sales business may only be located in a light industrial district as accessory to the primary use, occupying no more than 25% of the floor area of the primary use. Retail sales by separate tenants are not allowed.

B. Timing and nonconforming use.

1. The locational restrictions in subsections A.2.a through d of this section shall apply as of the date the applicant submits an application for a zoning permit under PHMC Chapter 18.85 to establish a firearm sales business.

2. Subject to subsection C of this section, the establishment of any firearm sales business shall include the opening of such a business as a new business, the relocation of the business, the conversion of an existing business to any firearm sales use, or the transfer or sale of a firearm sales business to a new owner. Expansion or relocation of a firearm sales business at an existing location, including within the same shopping center or site, is not deemed a change in business location or relocation of such a business.

3. Any firearm sales business operating as a conforming use under this chapter with all applicable licenses and permits, including the businesses that are grandfathered in pursuant to subsection C.1 of this section, shall not be rendered a legal nonconforming use as specified in PHMC § 18.65.020 by the location of a residence, day care, school, or public park.

C. Grandfathering for existing firearm sales businesses.

1. The locational restrictions in subsections A.2.a through d of this section shall be inapplicable to any entity engaged in the business of firearm sales in the city and who or which has all valid permits and licenses required by the city, and by state and federal law as of the effective date of the ordinance codified in this section. Any such entity may continue firearm sales at its existing location pursuant to any valid permits and licenses so long as the operator remains fully licensed by all agencies (including, without limitation, obtaining and maintaining the permit required by PHMC Chapter 9.35), and has not sold, transferred or assigned operation of the business after the effective date of this chapter to any other entity. If any such licenses or permits are revoked, the provisions of this subsection C are inapplicable and the locational restrictions in subsections A.2.a through d of this section shall apply.

2. The locational restrictions in subsections A.2.a through d of this section shall be inapplicable to the sale or transfer to a new owner of any existing firearm sales business that meets the requirements of subsection C.1 of this section if the operation of the firearm sales business by the new owner is at the same location or within the same shopping center or site as the prior owner's permitted business.

D. Zoning permit required. No firearm sales business may be established in the city by right. All persons wishing to establish a firearm sales business within the city must apply for and receive a zoning permit under PHMC Chapter 18.85. It is the burden of the applicant to supply evidence to justify the grant of a zoning permit.

E. Applicability of other regulations. The provisions in this chapter are not intended to provide exclusive regulation of firearm sales businesses. Any entity engaged in the business of firearms sales must comply with any and all applicable regulations imposed in other parts of the zoning ordinance, other city ordinances (including, without limitation, PHMC Chapter 9.35), and state and federal law.

Pleasanton Code of Ordinances

Codified through Ordinance No. 2180 and the July 2018 code supplement.

Title 6 Specific Business Regulations
Chapter 6.64 Firearm Sales
Article I General Provisions

Section 6.64.020 Definitions.

For purposes of this chapter, the following words and phrases shall have meanings as provided in this section:

A. "Firearm" means a gun, pistol, revolver, rifle or any device, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

B. "Firearm sales" means the sale, transfer, lease, offer, registration, or advertising for sale, transfer, lease, offer, or registration of a firearm.

C. "Person" means any individual, copartnership, firm, association, joint stock company, corporation, or combination of individuals of whatever form or character.

Section 6.64.030 Permit requirement.

A. Except as provided in Penal Code Section 12070(b), it is unlawful for a person to engage in the activity of "firearm sales" without a firearm sales permit as required by this chapter.

B. The requirement for a firearm sales permit is in addition to the requirement for a conditional use permit for firearm sales as provided under Chapters 18.28, 18.44, 18.48, and 18.52 of this code. No person shall engage in firearm sales without a conditional use permit and a firearm sales permit.

Section 6.64.040 Application.

A. An applicant for a firearm sales permit or renewal of same under this chapter shall file with the chief of police an application in writing, signed under penalty of perjury, on a form prescribed by the city attorney. The application shall include the following:

1. Name, age and address of the applicant;

2. The address of the proposed location for which the permit is required, together with the business name, if any;

3. Proof of a possessory interest in the property at which the proposed business will be conducted, in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

4. A floor plan of the proposed business which illustrates the applicant's compliance with security provisions of Penal Code Section 12071(b)(14) and Chapter 20.36 of this code;

5. Proof of the issuance of a conditional use permit at the proposed location;

6. Proof of compliance with all federal and state licensing laws;

7. Information relating to licenses or permits relating to other weapons sought by the applicant from other jurisdictions, including, but not limited to, date of application and whether each application resulted in issuance of a license;

8. Information relating to every revocation of a license or permit relating to firearms, including, but not limited to, date and circumstances of the revocation;

9. Applicant's agreement to indemnify, defend, and hold harmless the city, its officers, agents, and employees, from and against all claims, losses, costs, damages, and liabilities of any kind, including attorney fees, arising in any manner out of the applicant's negligence or intentional or willful misconduct;

10. Applicant's agreement that the city shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections and to investigate and enforce compliance with building, mechanical, electrical, plumbing, or health regulations, provisions of this code and all other applicable federal, state and local laws;

11. Certification of satisfaction of insurance requirements under Section 6.64.080 of this article; and

12. All convictions of the applicant for any offense listed in subsection 6.64.100(E) of this article.

B. As used in this section, the term "applicant" when the applicant is other than a natural person shall include any officer, director, employee or agent of the applicant who may be involved in any firearm sale.

C. The application shall be accompanied by a nonrefundable fee for administering this chapter established by city council resolution.

Section 6.64.050 Investigation by chief of police.

The chief of police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief of police may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the chief of police and any other additional information which the chief of police deems necessary to complete the investigation.

Section 6.64.060 Conditions of approval.

In addition to other requirements and conditions of this chapter, a firearm sales permit is subject to the following conditions, the breach of any of which is sufficient cause of revocation of the permit by the chief of police:

A. All prohibitions and requirements in Penal Code Section 12071(b);

B. The applicant shall not permit any person under 18 years of age to enter or remain within the premises without being accompanied by the parent or other adult legally responsible for the minor child where the primary business performed at the site is firearm sales;

C. The permittee shall not sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm;

D. The permittee shall not deliver a firearm to a purchaser earlier than is allowed by applicable federal and state law.

Section 6.64.070 Requirement of secured facility.

In addition to the conditions of approval provided in Section 6.64.060 of this article, the business location as shown on the firearm sales permit shall be a secured facility meeting all of the specifications of Penal Code Section 12071(b)(14) and Chapter 20.36 of this code.

Section 6.64.080 Liability insurance.

A. No firearm sales permit shall be issued or reissued unless there is in effect a policy of liability insurance in a form approved by the city attorney and executed by an insurance company approved by the city, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the firearm sale. The minimum liability limits shall not be less than $1,000,000.00 for each incident of damage to property or incident of injury or death to a person.

B. The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the city manager at least 30 days prior to the time the cancellation becomes effective.

C. Upon expiration of a policy of insurance and if no additional insurance is obtained, the permit is considered canceled without further notice.

Section 6.64.090 Issuance of firearm sales permit; duration.

A. The chief of police may grant a firearm sales permit to the applicant if the chief of police finds that the applicant complies with all applicable federal, state and local laws including, but not limited to, the state Penal Code, city building code, fire code, zoning and planning codes.

B. A firearm sales permit expires one year after the date of issuance. A permit may be renewed for additional one year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable renewal fee established by city council resolution. The renewal application and the renewal fee must be received by the chief of police no later than 45 days before the expiration of the current permit.

C. A decision regarding issuance or renewal may be appealed in the manner provided in Section 6.64.120 of this article.

Section 6.64.100 Grounds for permit denial.

The chief of police shall deny the issuance or renewal of a firearm sales permit when one or more of the following conditions exist:

A. The applicant is under 21 years of age;

B. The applicant is not licensed as required by all applicable federal, state and local laws;

C. The applicant has had a firearm sales permit or license previously revoked or denied for good cause within the immediately preceding two years;

D. The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for a firearm sales permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of two years;

E. The applicant has been convicted of:

1. An offense which disqualifies the applicant from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code Section 12021;

2. An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon;

3. An offense involving the use of force or violence upon the person of another;

4. An offense involving theft, fraud, dishonesty or deceit; or

5. An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the state Health and Safety Code, as it now reads or may hereafter be amended to read;

F. The applicant is within a class of persons defined in the Welfare and Institutions Code Section 8100 or 8103;

G. The applicant is currently, or has been within the past two years, an unlawful user of a controlled substance as defined by the Health and Safety Code as that definition now reads or may hereafter be amended to read;

H. The operation of the business as proposed would not comply with federal, state and local law; or

I. The applicant has engaged in firearm sales involving any firearm listed on the roster of Saturday night specials in violation of this chapter.

Section 6.64.110 Grounds for permit revocation.

In addition to the violation of any other provision contained in this chapter, circumstances constituting grounds for denial of a firearm sales permit also constitute grounds for revocation.

Section 6.64.120 Hearing for permit denial or revocation.

A. A person whose application for a firearm sales permit is denied or revoked by the chief of police has the right to a hearing before the chief of police before final denial or revocation.

B. Within 10 days of mailing written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the chief of police. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the chief of police shall set a time and place for the hearing within 30 days.

C. The decision of the chief of police shall be in writing within 10 days of the hearing. An applicant may appeal the decision of the chief of police to the city manager provided written notice of said appeal and reasons therefor are filed with the city clerk 10 days after the mailing of the chief of police's decision. The city clerk shall set the matter for city manager consideration within 2 weeks of receipt of the appeal.

Section 6.64.130 Nonassignability.

A firearm sales permit issued under this chapter is not assignable. Any attempt to assign a firearm sales permit makes the permit void.

Section 6.64.140 Nonconforming use.

Notwithstanding the effective date of this chapter, any person engaged in firearm sales who is the holder of a valid seller's permit issued by the state Board of Equalization and a valid certificate of eligibility issued by the California Department of Justice, all of which were issued prior to January 1, 1998, may continue such firearm sales provided a firearm sales permit, a conditional use permit and business registration are obtained from the city within one year of the effective date hereof, and provided the operator remains fully licensed by all agencies listed above.

Article II. Sale of Saturday Night Specials

Section 6.64.160 Definitions.

Except as provided in Section 6.64.165 of this article, the term **"Saturday Night Special"** as used in this chapter shall mean any of the following:

A. A pistol, revolver or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which pistol, revolver or firearm contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat-treated carbon steel, forged alloy, or other material of equal or higher tensile strength.

B. A semiautomatic pistol that:

1. Is not originally equipped by the manufacturer with a locked-breech action; and

2. Is chambered for cartridges developing maximum permissible breech pressures above 24,100 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

3. For purposes of this subsection B, "semiautomatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001(b), that is designed to be held and fired with one hand, and that does the following upon discharge: (a) fires the cartridge in the chamber; (b) ejects the fired cartridge case; and c) loads a cartridge from the magazine into the chamber. "Semiautomatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276.

C. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), that:

1. Uses an action mechanism that is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech pressure below 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

2. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

3. Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger; or

4. If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

5. For purposes of this subsection C, “action mechanism” shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded, commonly known as the cycle of operation.

Section 6.64.165 Exclusions.

The term “Saturday Night Specials” does not include any of the following:

A. Any pistol that is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7), and (8) of subsection (b) of California Penal Code Section 12020;

B. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion;

C. Children’s popguns or toys;

D. An “unconventional pistol” as defined in California Penal Code Section 12020(c)(12); or

E. Any pistol which has been modified to render it either permanently inoperable or permanently altered such that it no longer is classified as a Saturday Night Special.

Section 6.64.170 Roster of Saturday Night Specials adopted.

The following roster of Saturday Night Specials is hereby adopted. The roster lists those firearms, by manufacturer and model number, that fit the definition of “Saturday Night Special” set forth in Section 6.64.160 of this article.

Roster of Firearms Prohibited From Sale Within the City of Pleasanton

Pistols

1. ACC-TEK: Models; AT-9SS, AT-40SS and AT-45SS

2. Bryco/Jennings: Models; 28, 48, 59, J-22 and J-25

3. Davis Industries: Model; P380

4. Hi Point: Models; JS-9, JS-40, JS-45, JS-9mm Compact, Iberia

5. Intratec: Models; Category 9 (CAT-9), Protec-22, Protec-25

6. Lorcin Engineering: Models; L-9mm, L-22, L-25, LT-25, L-32 and L-380

7. Phoenix Arms: Models; Raven 22, Raven 25, HP-22 and HP-25

8. Sundance Industries: Models; BOA, A-25

Revolvers

9. E.A.A. Corporation: Models; All “standard grade revolvers” except the .357 caliber magnum revolver

10. F.I.E. (Firearms Import/Export): Models; Arminius and Titan

11. Heritage: Models; Sentry Revolver

12. North American Arms: Models; Mini-Revolvers and Mini-Master, Black Widow Revolver

Derringers

13. American Derringer: Models 1 through 11 and Alaskan Survival, Lady Model, Texas Commemorative, DA 38 Model

14. Davis Industries: Models; Standard, Long-Bore and D-Series, Rimfire Derringers

15. Feather Industries: Models; Guardian Angel, Rimfire and centerfire derringers

16. HJS Arms: Models; Frontier Four and Antigua

17. New Advantage Arms: Model; 22 WMR, Double Action Derringer chambered for standard or magnum rimfire cartridges

18. Sundance Industries: Model; Point Blank Derringer

19. Texas Armory: Model; Defender Derringer

Section 6.64.180 Notification.

The city shall endeavor to send written notification to: (a) the manufacturer of every firearm on said roster; and (b) every dealer within the city who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California and this chapter. Such notification shall do the following:

A. Identify the model number of the firearm that has been classified as a “Saturday night special” within the meaning of Section 6.64.160 of this article;

B. Advise the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday night special; and

C. Advise the recipient that the burden of proving a firearm does not constitute a “Saturday night special” within the meaning of Section 6.64.160 of this article shall be on the recipient.

Section 6.64.190 Reconsideration.

A. The city shall, prior to the effective date hereof, establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision to classify the firearm in question as a “Saturday night special” as defined in Section 6.64.160 of this article.

B. Upon timely filing of one or more complete applications for reconsideration, the city shall evaluate the evidence submitted by the applicant(s). The city may rely on persons with expertise and knowledge in making this evaluation. The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a “Saturday night special” within the meaning of Section 6.64.160 of this article.

Section 6.64.200 Appeal of classification.

A. If it is determined that the firearm under reconsideration has been properly classified as a Saturday night special, then the applicant(s) shall have the right to appeal such decision to the city manager, and the applicant(s) shall have the right to a hearing before the city manager or the city manager’s designee prior to inclusion of the firearm in question on the roster. The city manager may rely on persons with expertise and knowledge in conducting this hearing.

B. The city manager, or the city manager’s designee, is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision to classify the firearm in question as a “Saturday night special” as defined in Section 6.64.160 of this article.

C. The burden of proof shall be on the appellant(s) to demonstrate that the firearm does not constitute a “Saturday night special” within the meaning of Section 6.64.160 of this article.

D. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

E. The city manager or the city manager’s designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the city manager or the city manager’s designee shall, based on the evidence presented, determine whether the firearm constitutes a “Saturday night special” within the meaning of Section 6.64.160 of this article.

F. In all instances, the decision of the city manager or the city manager’s designee whether to classify the firearm in question as a “Saturday night special” as defined in Section 6.64.160 of this article and to place said firearm on the roster is final.

Section 6.64.210 Publication of roster.

The city shall place on the roster those firearms which have been determined to constitute a “Saturday night special” within the meaning of Section 6.64.160 of this article. The city shall cause the roster to be published in the following manner:

A. Notification of the roster’s completion shall be published at least once in the official newspaper as designated by the city and circulated in the city within 15 days after its completion;

B. A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the city clerk; and

C. A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the city who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state and this chapter.

Section 6.64.220 Effective date of roster.

The roster shall become effective on the 15th day after its publication.

Section 6.64.230 Additions to roster.

Additions to the roster shall be made in accordance with the following:

A. Semiannual Determination. On a semiannual basis, the city shall determine the need to place firearms on the roster. Upon identifying one or more firearms as a Saturday night special, the city manager or the city manager's designee shall prepare a draft list of the additions to the roster.

B. Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the city shall endeavor to send written notification in accordance with the aforementioned provisions of Section 6.64.180 of this article.

C. Reconsideration. Any person notified pursuant to subsection B of this section may apply for reconsideration of the classification of that firearm as a Saturday night special in accordance with the provisions of Section 6.64.190 of this article.

D. Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday night special after reconsideration, the applicant may file an appeal to the city manager and the city manager or the city manager's designee shall hold a hearing in accordance with the provisions of Section 6.64.200 of this article.

E. Additions of Firearms to Roster. After all appeals have been exhausted, the city shall place on the roster those additional firearms which have been determined to constitute a "Saturday night special" within the meaning of Section 6.64.160 of this article. The city shall cause the roster, as amended to include these additional firearms, to be published in accordance with Section 6.64.210 of this article.

F. Effective Date of Additions to the Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the 15th day after its publication as set forth in Section 6.64.220 of this article.

Section 6.64.240 Sale of Saturday night specials prohibited.

No wholesale or retail firearms dealer with a firearm sales permit issued by the city shall engage in firearm sales of any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the California Penal Code.

Section 6.64.250 Exemptions.

Nothing in this chapter relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by police officers, sheriffs, constables, marshals, or other duly appointed peace officers in the performance of their official duties; nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the above mentioned persons in the performance of their official duties.

Section 6.64.260 Penalty.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this article shall be punished by a fine of not more than $1,000.00 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punished accordingly. In addition, any person found to be in violation of this article shall be considered in noncompliance with the requirements of this chapter, and subject to the suspension and/or revocation of a firearm sales permit under Section 6.64.100(I) of this chapter.

Title 18 Zoning
Chapter 18.08 Definitions

Section 18.08.175 Firearm.

"Firearm" means a gun, pistol, revolver, rifle or any device, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of explosion or other form of combustion.

Section 18.08.180 Firearm sales.

"Firearm sales" or **"sale of firearms"** means the sale, transfer, lease, offer, registration, or advertising for sale, transfer, lease, offer or registration of a firearm.

Section 18.08.185 Firearm sales, antique.

"Antique firearm sales" means the sale of any firearm not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898), and also any firearm using fixed ammunition manufactured in or before 1898, for which the ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

Chapter 18.28 A Agricultural district

Section 18.28.040 Conditional uses.

The following uses shall be permitted in the A district upon the granting of a use permit in accordance with the provisions of Chapter 18.124 of this title:

N. Firearm sales at a rifle or pistol range.

Chapter 18.32 R-1 One-Family Residential Districts

Section 18.32.050 Prohibited uses.

The following uses shall not be permitted in the R-1 districts:

C. Gunsmiths.

D. Firearm sales.

Chapter 18.36 RM Multi-Family Residential Districts

Section 18.36.050 Prohibited uses.

The following uses shall not be permitted in the RM districts:

C. Gunsmiths.

D. Firearm sales.

Chapter 18.40 Office District

Section 18.40.040 Prohibited uses.

The following uses shall not be permitted in the office district:

B. Firearm sales.

Chapter 18.44 Commercial District

Section 18.44.080 Permitted and conditional uses.

[27] Any retail use in the C-R(m), C-R(p), and C-C Districts that includes firearm sales shall be subject to a conditional use permit as prescribed in Chapter 18.124. Firearm sales are prohibited in the C-N and C-F Districts. Firearm sales in which no more than 10 firearms are stored on-site at any one time and the majority of firearms are sold through catalogs, mail order, or at trade shows are subject to a conditional use permit in the C-S District.

Chapter 18.52 Q Rock, Sand and Gravel Extraction District

Section 18.52.040 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit, in accord with the provisions of Chapter 18.124 of this title:

K. Firearm sales at a rifle or pistol range.

Chapter 18.56 P Public and Institutional District

Section 18.56.060 Prohibited uses.

The following uses shall not be permitted in the public and institutional district:

B. Firearm sales.

Chapter 18.104. Home Occupations

Section 18.104.040 Prohibited home occupations.

A. Gunsmiths.

B. Firearm sales, provided, however, that federally licensed firearm dealers with home occupation permits approved prior to the effective date hereof shall be given one year from the effective date hereof to comply with the ordinance codified in this chapter.

Point Arena Code of Ordinances

Codified through Ordinance No. 232 and the July 2018 code supplement

Title 5 Business Licenses and Regulations
Chapter 5.05 Business Excise Tax and Licenses

Section 5.05.160 Fixing rates.

There is hereby imposed upon each of the following businesses, shows, exhibitions, and games the specific license fee hereinafter set forth, and every person who transacts or carries on within the corporate limits of the city any of the businesses, shows, exhibitions, or games hereinafter referred to shall pay the following annual license fee, except as otherwise specifically provided:

$60.00

Firearms manufacture

Pomona Code of Ordinances

Codified through Ordinance No. 4242, adopted November 6, 2017. (Supp. No. 23)

Subpart A General Ordinances
Chapter 34 Offenses and Miscellaneous Provisions
Article III Offenses Involving Public Safety
Division 1 Generally

Section 34-82 Records of ammunition sales.

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

Ammunition means projectiles expelled by force of an explosion, for use in pistols and revolvers, as defined in Penal Code 12001, notwithstanding that the ammunition may also be used in rifles.

Vendor means any individual, gun store, retail or department store, gun show participant, firm or corporation engaged in the sale of ammunition.

(b) Every vendor shall maintain records pertaining to ammunition sales prescribed by this section on the premises and in the manner prescribed in this section. The record shall show the following:

(1) The date of the transaction;

(2) The purchaser's name, address and date of birth;

(3) The purchaser's driver's license number or other identification and the state where issued;

(4) The brand of ammunition purchased;

(5) The type and amount of ammunition purchased; and

(6) The purchaser's signature.

(c) The information required by subsection (b) of this section shall be completed in the log book at the time of the purchase.

(d) The record shall be maintained in chronological order by date of sale of the ammunition and shall be retained on the licensed premises of the licensee for a period of two years following the date of the purchase of the ammunition.

(e) At the direction of the police chief, police officers may enter the premises of any licensed vendor of ammunition during regular business hours for the purpose of examining or inspecting any record required by this section.

(f) It is unlawful for any licensed vendor or person engaged in the retail sale of ammunition knowingly to make a false entry in or fail to make appropriate entry or fail to properly maintain any such record or refuse to exhibit the ammunition sales log to a police officer immediately upon request for such inspection.

Port Hueneme Code of Ordinances

Codified through Ordinance No. 735, passed February 20, 2018. (Supp. No. 23)

Article III Public Health and Safety
Chapter 8 Miscellaneous
Part D Lost or Stolen Firearms

Section 3914.10 Reporting lost or stolen firearms.

Any person residing or doing business in Port Hueneme who owns, or possesses a firearm, as defined in the Penal Code, shall report the theft or loss of the firearm, if it is lost or stolen on or after September 8, 2007 to the Port Hueneme Police Department within forty-eight (48) hours after his or her discovery or knowledge of the theft or loss. Any person residing or doing business in Port Hueneme who has experienced the loss or theft of a firearm, as defined in the Penal Code, in Port Hueneme within the five (5) years prior to September 8, 2007 without the firearm having been recovered during such time, shall report the theft or loss to the Port Hueneme Police Department within ninety (90) days of September 8, 2007.

Section 3914.20 Penalty, Misdemeanor.

Any person who fails to report a lost or stolen firearm pursuant to Section 3914.10, when the person knew or should have known of the theft or loss, is guilty of a misdemeanor and is punishable as provided in Section 1100 of this Code.

Portola Code of Ordinances

Codified through Ordinance No. 347, enacted January 10, 2018 (Supp. No. 5)

Title 17 Zoning
Article IV Special Area and Specific Use Requirements
Chapter 17.55 Home Occupation

Section 17.55.030 Limitation on use.

Only one home occupation shall be permitted in a dwelling. The following uses or activities are prohibited as home occupations:

A. Fire arms and ammunition sales;

Poway Code of Ordinances

Codified through Ordinance No. 822, passed December 4, 2018.

Title . Business Licenses and Regulations
Chapter 5.04 Uniform Licensing Procedure

Section 5.04.010 License – Required.

It is unlawful for any person, firm, or corporation to engage in, conduct, manage, or carry on any of the following businesses, practices, professions, or occupations within the City without first having obtained a license therefor in accordance with the uniform licensing procedure:

G. Firearms, sale of;

Chapter 5.48 Firearm Sales

Section 5.48.010 License – Generally.

The procedure to follow, except as otherwise provided in this chapter, in obtaining a license is that set forth in the uniform licensing procedure, set out in Chapter 5.04 PMC. The applicant shall pay as a fee for said license an amount as shall be established by City Council resolution from time to time, and this fee shall be paid at the time application for the license is made. The fee for renewal shall be established by City Council resolution from time to time.

Section 5.48.020 Limitation on buildings.

The business licensed by this chapter shall be carried on only in the building designated in the license.

Section 5.48.030 Records – Secondhand weapons.

A. If a dealer, licensed by this chapter to sell firearms, has offered to him for purchase or for acceptance in trade a used or secondhand concealable weapon, he shall first obtain from the person offering such weapon the following information:

1. Name, address, and physical description of such person;

2. The description and license number of the vehicle, if any, being driven by such person;

3. The caliber, manufacturer's name, description, serial number or numbers, initials or other identifying marks of the weapon;

4. Such other information which may be required by the Chief of Police.

B. This information shall be recorded on forms furnished by the Chief of Police. At the end of each week such dealer shall file with the Chief of Police such completed form with respect to each secondhand concealable weapon purchased or taken in trade during such week by such dealer.

Section 5.48.040 Delivery of firearms.

A. No concealable weapon shall be delivered:

1. Within 15 days of the application for the purchase thereof; nor

2. Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

B. When delivered, such concealable weapon shall be unloaded and securely wrapped.

Section 5.48.050 Advertising or display.

No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer, shall be displayed in any part of the premises where it can readily be seen from the outside.

Section 5.48.060 Breach of conditions.

Upon the breach of any of the above-stated conditions any license issued pursuant to this chapter shall be subject to forfeiture.

Title 17 Zoning
Chapter 17.10 Commercial Zones

Section 17.10.190 Outdoor display.

C. Outdoor Display Prohibited. The outdoor display of the following goods and merchandise is prohibited:

5. Firearms;

Rancho Cordova Code of Ordinances
Codified through Ordinance No. 1902018, passed October 19, 2018.

Title 4 Business Regulations
Chapter 4.10 Special Business Licenses and Employee Permits
Article I Applicability and Issuance

Section 4.10.005 License required.

No person shall, unless under and by authority of a valid unexpired and unrevoked special business license, conduct or operate within the city, whether singularly or in connection with another type of enterprise, the following:

B. Antique dealers in firearms, jewelry, art objects, furniture or other valuables;

F. Sales of concealable firearms, including gun powder;

Title 23 Zoning Code
Article 9 Specific Use Provisions
Chapter 23.901 Residential Uses

Section 23.901.030 Home occupations.

F. Prohibited Home Occupations.

3. Ammunition reloading, including custom reloading;

7. Firearms sales;

Rancho Cucamonga Code of Ordinances
Codified through Ordinance No. FD 56, adopted November 16, 2016. (Supp. No. 2)

Title 9 Public Peace, Morals and Welfare
Chapter 9.04 Weapons

Section 9.04.030 Possession of weapons by minors.

It shall be unlawful for any person under the age of 18 years to have in his or her possession, custody, or control any of the weapons described in sections 9.04.010 and 9.04.020 unless he or she either possesses a valid state hunting license or is accompanied by a parent or guardian.

Title 17 Development Code
Article III Zoning Districts, Allowed Uses, and Development Standards
Chapter 17.30 Allowed land Use by Base Zoning District

Section 17.30.030 Allowed land uses and permit requirements.

C. Permit requirements. Generally, a use is either allowed by right, allowed through issuance of a conditional use permit, or not permitted. In addition to the requirements for planning permits or entitlements listed herein, other permits and entitlements may be required prior to establishment of the use (e.g., building permit or permits required by other agencies). The requirements for planning permits or entitlements identified in Table 17.30.030-1 (Allowed Land Uses and Permit Requirements by Base Zoning District) include:

1. Permitted (P). A land use shown with a "P" indicates that the land use is permitted by right in the designated zoning district, subject to compliance with all applicable provisions of this title (e.g., development standards) as well state and federal law.

2. Conditionally permitted (C). A land use shown with a "C" indicates that the land use is permitted in the designated zoning district upon issuance of a conditional use permit from the designated approving authority, subject to compliance with all applicable provisions of this zoning code (e.g., development standards) as well as state and federal law.

3. Not permitted (N). A land use shown with an "N" is not allowed in the applicable zoning district. Additionally, uses not shown in the table are not permitted, except as otherwise provided for in this title.

4. Adult entertainment permit (A). A land use shown with an "A" indicates that the land use is permitted in the designated zoning district upon issuance of an adult entertainment permit from the designated approving authority, subject to compliance with all applicable provisions of this zoning code (e.g., development operational standards) as well as state and federal law.

D. Base zoning district names and symbols. Base zoning district names for the zoning district symbols used in the table are listed below. Specific Plan (SP) District and Planned Community (PC) District are not listed in the table as the allowed uses for those base zoning districts are determined in compliance with the adopted Specific Plan or Planned Community.

- Very Low Residential (VL)
- Low Residential (L)
- Low Medium Residential (LM)
- Medium Residential (M)
- Medium High Residential (MH)
- High Residential (H)
- Mixed Use (MU)
- Office Professional (OP)
- Neighborhood Commercial (NC)
- General Commercial (GC)
- Community Commercial (CC)
- Specialty Commercial (SC)
- Regional Related Commercial (RRC)
- Commercial Office (CO)
- Industrial Park (IP)
- General Industrial (GI)
- Minimum Impact/Heavy Industrial (MI/HI)
- Heavy Industrial (HI)
- Open Space (OS)
- Hillside Residential District (HR)
- Flood Control-Open Space (FC)
- Utility Corridor-Open Space (UC)

Table 17.30.030-1: Allowed Land Uses and Permit Requirements by Base Zoning District

Land Use/Zoning District	VL	L	LM	M	MH	H	MU	OP	NC	GC	CC	SC	RRC	CO	IP	GI	MI/HI	HI	OS	HR	FC	UC
Retail, Service, and Office Uses																						
Gun Sales	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N

Chapter 17.38. Overlay Zoning Districts

Section 17.38.050 Industrial Commercial Overlay Zoning District.

A. Purpose. The purpose of the Industrial Commercial Overlay District is to establish unique allowed use provisions and project compatibility requirements for areas of the city where both industrial park and retail development are compatible.

B. Applicability. The Industrial Commercial Overlay Zoning District applies to property designated on the zoning map by reference letters "IC" after the reference letter(s) identifying the base zoning district.

C. Allowed use. Allowed uses for the Industrial Commercial Overlay Zoning District are listed below in Table 17.38.050-1 (Allowed Land Uses and Permit Requirements for Industrial Commercial Overlay Zoning District). Generally, a use is either allowed by right, allowed through issuance of a conditional use permit, or not permitted. In the table below, a land use shown with a "P" indicates that the land use is permitted by right in the designated zoning district, subject to compliance with all applicable provisions of this title (e.g., development standards) as well state and federal law. Additionally, a land use shown with a "C" indicates that the land use is permitted in the designated zoning district upon issuance of a conditional use permit from the designated approving authority, subject to compliance with all applicable provisions of this zoning code (e.g., development standards) as well as state and federal law. Uses not listed in the table are not permitted. In the event of a conflict between the allowed uses for this district and the allowed uses of the underlying base zoning district, the allowed uses for this district shall apply.

Table 17.38.050-1 Allowed Land Uses and Permit Requirements for Industrial Commercial Overlay Zoning District

Land Use/Zoning District	IC
Retail, Service, and Office Uses	
Gun Sales	C

Rancho Palos Verdes Code of Ordinances
Codified through (Covering Ordinances through 607) (Supp. No. 57)

Title 9 Public Peace, Morals and Welfare
Chapter 9.08 Weapons

Section 9.08.030 Minor, Possessing weapons.

Except as otherwise provided in this chapter, it shall be unlawful within the boundaries of the city for any person under the age of eighteen years to have in his or her possession, care, custody or control any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile or any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.08.040 Minor, Parent permission.

Nothing in this chapter shall be deemed or construed to prohibit in the city any person under the age of eighteen years from having in his or her possession, care, custody or control any article mentioned in Section 9.08.030, in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Rancho Santa Margarita Code of Ordinances
Codified through Ordinance No. 18-01, enacted February 14, 2018. (Supp. No. 26)

Title 9 Planning and Zoning
Chapter 9.05 Special Regulations

Section 9.05.110 Special events.

(j) Garage/yard/moving sales.

(2) Garage sales shall be permitted as temporary accessory uses in residential zoning districts subject to the following regulations:

d. It is unlawful for any person to exchange, barter, trade or sell any of the following at a garage sale: firearms, ammunition, explosives, un-domesticated animals and livestock, any item of personal property from which the serial number has been removed, or any other item prohibited by City, County, State, or Federal law.

(k) Estate sales.

(2) Estate sales shall be permitted as temporary accessory uses in residential zoning districts subject to the following regulations:

d. It is unlawful for any person to exchange, barter, trade or sell any of the following at an estate sale: firearms, ammunition, explosives, un-domesticated animals and livestock, any item of personal property from which the serial number has been removed, or any other item prohibited by City, County, State, or Federal law.

Redding Code of Ordinances
Codified through Ordinance No. 2592, enacted August 21, 2018. (Supp. No. 33)

Title 10 Public Peace, Morals and Welfare
Part VIII Weapons
Chapter 10.60 Sale to and Possession by Minors

Section 10.60.010 Sale.

It is unlawful to expose for sale, sell, or offer for sale, barter or exchange, to or with any minor under the age of eighteen years, any pistol or other firearm, or any instrument capable of discharging any charge of powder, or other explosives, or any cartridge loaded with ball.

Section 10.60.020 Possession.

It is unlawful for a person under eighteen years of age to have in his possession within the city limits beyond the confines of his own home any pistol, firearm, air gun, CO 2 gun, shotgun, air rifle, pellet gun, slingshot or any other instrument which throws a missile for any distance by means of the elastic force of air or any explosive substance, except while escorted by an adult.

Redondo Beach Code of Ordinances
Codified through Ordinance No. 3180 C.S. and the November 2018 code supplement.

Title 10 Planning and Zoning
Chapter 2 Zoning and Land Use
Article 1 General Provisions

Section 10-2.402 Definitions.

For the purposes of this chapter, certain words and terms used in this chapter are construed and defined as follows:

(75) "Fire arm sales" or **"firearms business"** shall mean an establishment having at least twenty-five (25%) percent of its gross floor area used for the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.

Article 4 Special Use Regulations

Section 10-2.1600 Bars and cocktail lounges, arcades, billiard parlors, thrift shops, liquor stores, and check cashing and firearms businesses.

(a) Purpose. In order to prevent a blighting impact on the character of commercial zones, help insure the compatibility of these particularly sensitive land uses with surrounding land uses, and maintain a healthy and balanced mix of commercial uses, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter.

(b) Criteria.

(1) The proposed use is a sufficient distance from residential uses and has been designed with adequate physical buffers to reduce potential noise impacts related to operation of the use, parking by employees and patrons, and pedestrian activities.

(2) The proposed hours of operation for the use are complimentary to the business district in which the use is located, and will not negatively impact residential uses.

(3) The addition of the proposed use to the mix of commercial uses in its vicinity will not create a blighting influence.

(5) Firearms businesses. In addition to the criteria listed above, no firearms business shall be located within 500 feet of any lot upon which there is legally located a school, public park, or religious institution.

(c) Conditional Use Permit required. No bar or cocktail lounge, arcade, billiard parlor, thrift shop, liquor store, check cashing business or business engaged in the sale of firearms shall be established unless a Conditional Use Permit is obtained pursuant to Section 10-2.2506.

Chapter 5 Coastal Land Use Plan Implementing Ordinance
Article 1 General provisions

Section 10-5.402 Definitions.

For the purposes of this chapter, certain words and terms used in this chapter are construed and defined in subsection (a) of this section. For the purpose of procedures relating to Coastal Development Permits, words and terms are defined in Section 10-5.2204 of this chapter.

(81) "Firearm sales" or **"firearms business"** shall mean an establishment having at least twenty-five (25%) percent of its gross floor area used for the sale of firearms, ammunition and ammunition components, and hunting or shooting equipment.

Article 4 Special Use Regulations

Section 10-5.1600 Bars and cocktail lounges, arcades, billiard parlors, thrift shops, liquor stores, and check cashing and firearms businesses.

(a) Purpose. In order to prevent a blighting impact on the character of commercial zones, help insure the compatibility of these particularly sensitive land uses with surrounding land uses, and maintain a healthy and balanced mix of commercial uses, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter.

(b) Criteria.

(1) The proposed use is a sufficient distance from residential uses and has been designed with adequate physical buffers to reduce potential noise impacts related to operation of the use, parking by employees and patrons, and pedestrian activities.

(2) The proposed hours of operation for the use are complimentary to the business district in which the use is located, and will not negatively impact residential uses.

(3) The addition of the proposed use to the mix of commercial uses in its vicinity will not create a blighting influence.

(5) Firearms businesses. In addition to the criteria listed above, no firearms business shall be located within 500 feet of any lot upon which there is legally located a school, public park, or religious institution.

(c) Conditional use permit required. No bar or cocktail lounge, arcade, billiard parlor, thrift shop, liquor store, check cashing business or business engaged in the sale of firearms shall be established unless a conditional use permit is obtained pursuant to Section 10-5.2506.

Redwood Code of Ordinances

Codified through Ordinance No. 2443, adopted April 9, 2018. (Supp. No. 46)

Chapter 37 Weapons

Section 37.9 Firearms and weapons, possession by person under sixteen unlawful.

It shall be unlawful for any person under the age of sixteen (16) years to have in his possession in a public place, any of the firearms or other instruments, devices or apparatuses mentioned in Section 37.7 hereof, except as provided in the following section.

Section 37.10 Firearms and weapons, exceptions to section 37.9.

The provisions of the preceding section hereof shall not apply to persons under the age of sixteen (16) in the following cases:

A. When the person under the age of sixteen (16) years is in the immediate charge of a parent, guardian or adult person having the responsibility for the conduct of the person under the age of sixteen (16) years.

B. When the firearm or other instrument, device or apparatus is unloaded and either in a dismantled or takedown conditions or in a carrying case made for the purpose of carrying such firearm or other instrument, device or apparatus. A firearm, or instrument, device or apparatus shall be deemed to be unloaded when no ammunition, bullet, missile or propellant is in any part thereof.

Section 37.11 Firearms and weapons, seizure.

Any police or peace officer shall seize any firearm or other instrument, device or apparatus, whether discharged or in the possession of a person contrary to the provisions of this Article.

Rialto Code of Ordinances

Codified through Ordinance No. 1572, passed September 13, 2016 through Ordinance No. 1589, passed May 9, 2017. (Supp. No. 27, Update 1)

Title 5 Business Licenses and Regulations
Chapter 5.68 Home Occupations*

Section 5.68.070 Prohibited uses.

The following uses shall not be permitted as home occupations except to allow the business operator to provide a mailing address and telephone answering service for a business located elsewhere:

H. Firearms dealerships;

Richmond Code of Ordinances

Codified through Ordinance No. 25-18 N.S., passed July 24, 2018. (Supp. No. 50)

Article VII Businesses
Chapter 7.100 Dealers in Firearms

Section 7.100.010 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

"Chief of Police" means the Chief of Police of the City of Richmond or his or her designee.

"City" means the City of Richmond.

"City Manager" means the City Manager of the City of Richmond or his or her designee.

"Dealer in firearms" means a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm or ammunition for any firearm.

"Department" means the California Department of Justice.

"Engage in the business" means the conduct of a business by the selling, leasing, or transferring of any firearm or ammunition for any firearm; or the preparation for such conduct of business, which may be evidenced by the application for or securing of applicable state or federal licenses; or the holding of one's self out as engaged in the business of selling, transferring or leasing of firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel, a projectile by the force of explosion or other means of combustion.

"Person" means natural person, association, partnership, firm, or corporation.

Section 7.100.020 Permit, Required.

No person shall engage in the business of a dealer in firearms or ammunition for any firearm and no person shall operate or manage any such business unless the person or business has first been issued a permit pursuant to the provisions of this chapter.

Section 7.100.030 Conditional use permit.

No permit shall be issued to any person pursuant to this chapter to engage in the business of a dealer in firearms or ammunition for any firearm, unless the person has first obtained a conditional use permit under Section 15.04.190 of this Code for use of the proposed business site as a dealer in firearms.

Section 7.100.040 Application, Form, Fees.

An applicant for a permit under this chapter or an applicant for renewal of a permit under this chapter shall file with the Chief of Police a sworn application in writing, on a form to be furnished by the City. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws when required by the Chief of Police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee of $315.00 and the renewal application shall be accompanied by a nonrefundable fee of $250.00.

Section 7.100.050 Application, Investigation.

(a) The Chief of Police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The Chief of Police may require an applicant, or any officer, agent or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the Chief of Police, and any other additional information which the Chief of Police deems necessary to complete the investigation.

(b) The Chief of Police shall refer the application to the City Public Works Department, Planning Department and Fire Department for an investigation, including an inspection, if necessary, of whether the building and property to be used for sale of firearms is in compliance with the Municipal Code of the City of Richmond and with the requirements of this chapter. The departments shall report the results of the investigation to the Chief of Police.

Section 7.100.060 Application, Denial.

The Chief of Police shall issue a permit unless he or she finds any one or more of the following:

(1) The applicant, or an officer, employee, or agent thereof is under the age of twenty-one years.

(2) The applicant is not licensed as required by all applicable federal, state and local laws, or the applicant's inventory does not conform to the type of federal, state or local firearms permit issued to the applicant.

(3) The applicant, or an officer, employee, or agent thereof has had a similar type permit previously revoked or denied for good cause within the immediately preceding five years.

(4) The applicant, or an officer, employee, or agent thereof has made any false or misleading statement of a material fact or omission of a material fact in the application for a permit.

(5) The applicant, or an officer, employee or agent thereof, fails or refuses to provide clear evidence of his or her identity, or any other information required by the Chief of Police to complete his or her investigation.

(6) The applicant, or an officer, employee, or agent thereof, has been convicted of:

> **(a)** Any criminal offense so as to disqualify the applicant, or an officer, employee, or agent thereof, from owning or possessing a firearm under applicable federal, state and local laws.

(b) Any criminal offense relating to the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon.

(c) Any criminal offense involving the use of force or violence upon the person of another.

(d) Any criminal offense involving theft, fraud, dishonesty, or deceit.

(e) Any criminal offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code as the definition now reads or may hereafter be amended to read.

(7) The applicant, or an officer, employee, or agent thereof is currently, or has been within the last two years, an unlawful user of any controlled substance as defined by the California Health and Safety Code as the definition now reads or may hereafter be amended to read, or is an excessive user of alcohol, to the extent that such use would impair his or her fitness to be a dealer in firearms.

(8) The applicant, or an officer, employee or agent thereof is within the classes of persons defined in California Welfare and Institutions Code Sections 8100 or 8103, as they now read or may hereafter be amended to read.

(9) The operation of the business as proposed will not comply with all applicable federal, state and local laws.

(10) The business is not located at a fixed and certain site, at which all business activity occurs.

(11) The applicant's proposed business site is a building which does not comply with the requirements of the City of Richmond Building Code, Fire Prevention Code or any other technical code or regulation of the City of Richmond which govern the use, occupancy, maintenance, construction or design of buildings or structures.

(12) The doors, windows or other means of entry into the proposed business site are not secured withadequate locks or are not alarmed with a system of any manufacture which will cause an audible alarm to sound on the exterior of the building or a silent alarm to a centralized monitored facility signaling unauthorized entry during nonbusiness hours, or the proposed business site is not a secured facility or does not meet the requirements for such a facility as set forth in California Penal Code Section 12071, as it now reads or as it is amended in the future.

(13) The method of storage of inventory which is of an explosive or flammable nature at the proposed business site is not in compliance with federal and State of California laws and with the City of Richmond Fire Prevention Code.

(14) The firearms on the proposed business site are not stored out of reach of customers in secure, locked facilities, so that access to all firearms shall be controlled by the dealer or employees of the dealer, to the exclusion of all others, and are stored in compliance with the provisions of California Penal Code Section 12071, as it now reads or as it may be amended in the future.

(15) The applicant, or an officer, employee, or agent thereof does not have, and/or cannot provide evidence of, a possessory interest in the property at which the proposed business will be conducted.

Section 7.100.070 Permit, Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the State of California.

Section 7.100.080 Permit, Duration, Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that such permits may be renewed by the Chief of Police for additional periods of one year upon the permittee's submission of an application for renewal, accompanied by a non-refundable renewal fee, to the Chief of Police. Such renewal application, in completed form, and such fee must be received by the Chief of Police, in completed form, no later than forty-five days prior to the expiration of the current permit.

Section 7.100.090 Permit, Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 7.100.100 Permit, Conditions.

Any permit issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the Chief of Police:

(1) The business shall be carried on only in the building designated in the permit;

(2) The permit or a copy thereof, certified by the Chief of Police, shall be displayed on the premises where it can easily be seen;

(3) Full compliance with each and every condition and prohibition set forth in California Penal Code Section 12071, as it now reads or as it may be amended in the future;

(4) Full compliance with each and every requirement imposed on dealers of firearms by State, Federal or local law;

(5) The permittee shall not sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each such firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm.

Any permit issued pursuant to this chapter shall be subject to such additional conditions as the Chief of Police finds are reasonably related to the purposes of this chapter.

Section 7.100.110 Permit, Grounds for revocation.

A permit may be revoked for the violation of any of the requirements contained in this chapter. Any circumstances constituting grounds for denial of an application, as set forth in Section 7.100.060, shall also constitute grounds for revocation.

Section 7.100.120 Permit, Hearing.

(a) Any person whose application for a permit under this chapter has been denied, or whose permit has been revoked pursuant to the provisions of this chapter, shall have the right to a hearing before the City Manager or his or her designee prior to final denial or prior to revocation.

(b) The Chief of Police shall give the applicant or permittee written notice of his or her decision to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the Chief of Police's decision to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten days from the date of receipt of the notice to file a written request for a hearing, except as otherwise provided in this section.

(c) Within ten days of the written notice by the Chief of Police of his or her decision to deny the application or revoke the permit, the applicant or permittee may appeal by submitting a request to the Police Chief for a hearing before the City Manager. Such request must be made in writing and must set forth the specific grounds for the appeal. If the applicant or permittee files a timely hearing request, the City Manager shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the City Manager whether to deny the application or revoke the permit shall be in writing and shall be the final administrative decision.

(d) If no timely appeal is taken, the application may be denied or the permit revoked by decision of the Chief of Police and such decision shall be final. If a timely appeal request is made by a permittee, the permit shall remain in force and effect until a decision on appeal has been made by the City Manager, except as otherwise provided in this section.

(e) In the event that a permittee or any business to which the permit applies is found to have violated any state, federal or local law based on which the permit may be revoked and the violation of which results in the filing of criminal charges, the Chief of Police may immediately suspend the permit for a period of up to 20 days and, if no appeal is requested, such suspension shall remain in effect until final adjudication of the criminal charges. In the event an appeal hearing is timely requested by the permittee, an appeal hearing shall be held within the 20-day suspension period, in the manner and under the procedures otherwise established by this section for appeals hearings, except that the permit shall remain suspended until a decision has been made at the time of the appeal hearing by the City Manager.

Section 7.100.130 Permit, Liability insurance.

No permit shall be issued, continued or renewed pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the City Attorney and Risk Manager deem proper, executed by an insurance company approved by the City Attorney and Risk Manager, whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm. The minimum liability limits shall not be less than one million dollars ($1,000,000) for damage to or destruction of property in any one incident and for the death of or injury to any one person. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, addressed in care of the Chief of Police, Hall of Justice, 401 27th Street, Richmond, California, 94804, at least thirty days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall name the City, its officers, agents, and employees as additional insureds. Additionally, applicants and permittees shall indemnify, defend, and hold harmless the City, its officers, agents, and employees, from claims arising from the negligence of the applicant or permittee.

Section 7.100.140 Permit, Authority to inspect.

Any and all investigation officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, or provisions of this chapter. Investigation officials of the City shall also be authorized to undertake all appropriate investigation and to enter property for the purpose of inspection and investigation whenever there is reason to believe that a violation of this chapter exists. Entry pursuant to this section shall be in accordance with all applicable laws.

Section 7.100.150 Compliance.

Any person engaging in the business of a dealer in firearms on the effective date of this chapter or amendment thereto shall have a period of 60 days after such effective date to comply with the provisions of this chapter or with any amendments thereto.

Article XI Public Safety and Welfare
Chapter 11.97 The Reporting of Lost or Stolen Firearms

Section 11.97.020 Duty of firearm owner to report loss or theft.

(a) Any person who owns or possesses a firearm shall report the loss or theft of the firearm to the Richmond Police Department within 48 hours of the time he or she knew or should have known that the firearm was lost or stolen, whenever the loss or theft of the firearm occurs in the City of Richmond.

(b) A person reporting a lost or stolen firearm shall report the make, model, and serial number of the firearm, if such information is known to the person.

Section 11.97.030 Duty of law enforcement to report to Department of Justice.

Pursuant to California Penal Code Section 11108, the Richmond Police Chief shall submit a description of each firearm which has been reported lost, stolen or found directly into the California Department of Justice automated property system for firearms.

Section 11.97.040 Exemptions.

(a) Persons licensed to manufacture firearms pursuant to California Penal Code Section 12086 are exempt from this chapter if the lost or stolen firearm was business merchandise lost or stolen from their firearm-related business.

(b) Persons licensed to sell firearms pursuant to California Penal Code Section 12071 are exempt from this chapter if the lost or stolen firearm was: (1) a firearm kept at their place of business; (2) business merchandise lost or stolen from their firearm-related business; or (3) in their possession pursuant to Penal Code Section 12082.

Section 11.97.050 Penalty.

Any person violating this chapter is guilty of a misdemeanor.

Section 11.97.060

If any section, subsection, paragraph, sentence or word of this chapter is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have adopted this chapter irrespective of the invalidity of any section, subsection, paragraph, sentence or word.

Rohnert Park Code of Ordinances

Codified through Ordinance No. 922, passed April 24, 2018. (Supp. No. 43)

Title 9 Public Peace, Morals and Welfare
Article VIII Weapons
Chapter 9.92 Retail Firearms Dealers

Section 9.92.010 Definitions.

For the purpose of this chapter the following words and phrases shall have the meaning ascribed to them in this section:

"Application" means an application for a firearms dealer's license.

"City" means the city of Rohnert Park.

"Firearm" means any device designated to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. Firearm also means any other such device as defined in the California Penal Code.

"Firearms dealer" means any person engaged in the business of selling, leasing, transferring, advertising, offering, exposing for sale, lease or transfer any firearm. In the event any association, organization, corporation or other entity is eligible to receive a firearms dealer's license then that association, organization, corporation or entity is also a firearms dealer for the purpose of this chapter.

"License" means written permission from the Rohnert Park department of public safety in conformity with its rules and regulations and with the California Penal Code and specifically Sections 12070 et seq.

"Purchase" means the purchase or transfer of a firearm.

"Purchaser" means the purchaser or transferee of a firearm.

Section 9.92.020 License required for firearms dealer.

No person shall engage in the activity, business or occupation of firearms dealer without first securing a license from the Rohnert Park department of public safety and paying the appropriate fee thereof.

Section 9.92.030 Requirements for issuance of a license to engage in the activity of firearms dealer.

Before any person shall be considered for a license as firearms dealer an application for license shall be made to the city of Rohnert Park department of public safety on forms approved by the director of public safety which require the applicant to submit any information required under the California Penal Code as a condition precedent to the issuance of the license. In addition, the applicant shall include the following information which must be current and valid:

A. A copy of the applicant's city business license.

B. A copy of the applicant's use permit as issued by the city.

C. A copy of the applicant's federal firearms license.

D. A copy of the applicant's sellers' permit as issued the state board of equalization.

E. A copy of the applicant's fictitious business name statement (if applicable).

F. A copy of the applicant's proof of identity.

Section 9.92.040 License issued only to individual.

The license issued by the city of Rohnert Park department of public safety for a firearms dealer shall be issued only to an individual. No license shall be issued to associations, corporations, partnerships or other entities. Any business, corporation or entity which possesses a federal firearms license in the name of the business, corporation, partnership or association shall not receive a license unless a principal or owner of the business, a corporate officer or a partner of the entity who is responsible for the operation completes the application and is fingerprinted.

Section 9.92.050 Fees and charges.

The following fees and charges shall be paid by the applicant before any license is issued.

A. An application fee of seventy-five dollars.

B. An additional fee, in the amount of the current rate for processing fingerprints, shall be payable by money order only to the department of justice.

None of the fees paid shall be refunded.

Section 9.92.060 Grounds for denial of license.

No license shall be issued if the city of Rohnert Park department of public safety finds or determines that:

A. The character of the applicant is such that licensing is not believed to be in the best interest of public safety and/or community security; or,

B. The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application; or,

C. The operation of the business as proposed pursuant to the issue or renewal of a permit is not in compliance with appropriate building, electrical, plumbing, fire, health or zoning codes; or,

D. The applicant is under twenty-one years of age; or,

E. The applicant has had a similar permit previously revoked or denied for good cause within one year immediately preceding the date of filing of the application; or,

F. The applicant has not been licensed as required by federal law and the state of California; or,

G. The applicant is in a class of persons described in Penal Code Sections 8100 or 8103, e.g. the applicant:

> **1.** Has been convicted of a felony under the laws of the United States, of the state of California, or any other state, government, or country; or
>
> **2.** Has been convicted of a violation of Sections 245(a)(2), 245(a)(3), 245(c), 246, 417(a)(2), and 417(b) of the Penal Code; or
>
> **3.** Is addicted to the use of any narcotic drug; or
>
> **4.** Within ten years of application has been convicted of a misdemeanor violation of Sections 136.5,140,171(b), 171(c), 171(d), 241, 243, 244.5, 245.5, 246.3, 247, 417, 417.2, 62.9, 12034(b), 12034(d), 12100(a), 12320 or 12590 of the Penal Code; or

5. As an express condition of probation, is prohibited or restricted from owning, possessing, controlling, receiving, or purchasing a firearm; or

6. Is subject to a restraining order issued pursuant to sections 545, 545.5, 546 and 547(a)(2) of the Code of Civil Procedure; or

7. Has been convicted of a crime of violence; or

8. Has been adjudicated to be a danger to others as a result of a mental disorder or mental illness, to be a mentally disordered sex offender; has been found not guilty by reason of insanity; has been found mentally incompetent to stand trial; has been placed under conservatorship by a court.

Section 9.92.070 Term of firearms dealer's license.

The term of any firearms dealer's license issued pursuant to this chapter shall be one year.

Section 9.92.080 Renewal of firearms dealer's license fee thereof.

An application for renewal of a firearms dealer's license shall be made no less than thirty days of the date of expiration of the current firearms dealer's license. The application for renewal shall be on forms provided by the city of Rohnert Park, department of public safety and consistent with California Penal Code Section 12070, et seq. The renewal fee shall be fifty dollars which shall be paid at the time the application for renewal is submitted.

Section 9.92.090 Revocation or suspension of firearms dealers license.

The director of public safety or his designated representative may revoke or suspend a firearms dealer's license for any of the following reasons:

A. Discovery of the existence of any of the circumstances, or the licensee is convicted of any of the offenses, enumerated in Section 9.92.060 of this chapter.

B. If the permittee is not operating in full compliance with the provisions of state and federal law; or, if the permittee is not operating in full compliance with the provisions of this chapter.

C. If the business, corporation, partnership, or association ceases to have a principal of the business, or owner of the business, or corporate officer or partner actively associated with the business who holds a valid current firearms dealer's license.

Section 9.92.100 Chapter statement of existing law and complementary thereto.

This chapter is enacted to supplement and complement the provision of the California Penal Code regarding the licensing of firearms dealers and specifically California Penal Code 12070, 12083 as existing and enacted as of the date of enactment of this chapter. Existing California law and any subsequent additions or amendments are made a part of this chapter by reference.

Section 9.92.110 Clause.

If any sentence, section or portion of this chapter is declared unconstitutional and if the remaining portions of the chapter are enforceable the city council declares that they shall remain in full force and the city council would have enacted those sections even though other sections were declared invalid or unconstitutional.

Title 17 Zoning
Chapter 17.06 Land Use Regulations
Article II Commercial Zoning Districts

Section 17.06.050 Districts.

A. C-O: Professional/Administrative Office District.
B. C-N: Neighborhood Commercial District.
C. C-R: Regional Commercial District.

Section 17.06.060 Permitted uses.

The following is a list of land uses and the commercial districts within which they are permitted as follows:

P =Permitted.
C =Conditionally-permitted by planning commission.
A =Administrative permit.
Z =Certificate of zoning compliance.
T =Temporary conditional permit.
I =Uses allowed as incidental to a primary use

Uses involving chemicals may also be subject to requirements regarding hazardous materials (footnote 11), in which case more restrictive requirements shall apply. Land uses that are not specifically listed are not permitted unless determined, by the planning and community development director, to be substantially similar to a listed use. If the listed land use is

followed by a number or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision which follow this chapter.

Land Use Category	C-O District	C-N District	C-R District
Firearm Dealers and Firearm Ammunition Dealers (J)			C

Chapter 17.07. Land Use Footnotes/Special Provisions

Section 17.07.020 Footnotes.

The following standards apply to the land use indicated by corresponding number in the zoning district use charts:

J. Firearm Dealers and Firearm Ammunition Dealers.

1. Firearm dealers and firearm ammunition dealers may be permitted in indicated districts only with approval of a conditional use permit and subject to the following provisions, except these provisions shall not apply to the following uses:

a. Dealers that sell five or less firearms per year.

b. Retail establishments where the sale of firearms is incidental to the primary business (i.e., less than five percent of the floor area is devoted to the sale, display and storage of firearms; e.g., sporting goods store or big box retailer).

2. The words and phrases "firearms" and "firearm dealer" shall be defined as set forth in Chapter 9.92, Retail Firearms Dealers, of this code. The words and phrases "firearm ammunition" and "firearm ammunition dealer" shall be defined as set forth below:

a. "**Firearm ammunition**" means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of firearms, and any component thereof.

b. "**Firearm ammunition dealer**" means any person engaged in the business of selling, leasing, or transferring of any firearm ammunition, or the preparation for such conduct of business, as evidenced by the application for or securing of applicable state or federal licenses; or the holding of oneself out as engaged in the business of selling, transferring, or leasing of any firearm ammunition; or the selling, transferring or leasing of firearm ammunition in quantity, in series or in individual transactions, or in any other manner indicative of trade.

3. The planning commission may approve a conditional use permit for a firearm dealer or a firearm ammunition dealer, provided that the use conforms to any and all applicable use permit or other criteria set forth in the particular zoning district regulations, and to all of the following criteria:

a. The dealer in firearms or dealer in firearm ammunition shall not be located within two hundred fifty feet of the exterior limits of:

(1) Any premises occupied by a public or private day care center, family day care home, or school;

(2) A public park, recreation center or other similar public property at which children regularly congregate; or

(3) Any premises occupied by a dealer in firearms, a business engaged in whole or in part in the retail sale of any alcoholic beverage whether for on-site or off-site consumption, massage establishments as defined in Chapter 8.36.010 of this code, or an adult business, as defined in Section 8.37.020 of this code.

All distances referred to in this subsection shall be measured between the closest points of the exterior property lines or area boundaries of the parcels or areas involved, except that when a dealer in firearms subject to the provisions of the chapter occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied;

b. Prior to the commencement of operation of a firearm dealer and at all times thereafter, the firearm dealer shall have a valid and current license from the department of public safety pursuant to Chapter 9.92 of this code and shall be in full compliance therewith;

c. Prior to the commencement of operation of a firearm dealer or a firearm ammunition dealer and at all times thereafter, compliance with all of the following requirements:

(1) Adequate security measures to secure the premises where the firearms or firearm ammunition is sold and/or stored, subject to approval of the director of public safety or designee;

(2) Storage of firearms and firearm ammunition at all times in a secured locked location so that access is controlled by the dealer or employee, representative or agent thereof to the exclusion of others, with the adequacy of such storage methods subject to the approval of the director of public safety or designee;

(3) Storage of ammunition and other firearms-related merchandise classified as hazardous materials shall be subject to the approval of the fire marshal or designee;

(4) The firearm dealer and the firearm ammunition dealer at all times shall maintain in full force and effect all required federal, state and local licenses and/or permits.

Rolling Hills Code of Ordinances
Codified through Ordinance No. 357, adopted November 27, 2017. (Supp. No. 21)

Title 9 Public Peace, Morals and Welfare
VII Offenses by or Against Minors
Chapter 9.56 Possession of Firearms by Minors

Section 9.56.010 Furnishing weapons to minors prohibited.

Except as otherwise provided in Section 9.56.040, it is unlawful in the City for any person, firm or corporation to sell, give, loan or in any way furnish or to cause or to permit to be sold, given, loaned or in any way furnished to any person under the age of sixteen years any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile.

Section 9.56.020 Furnishing ammunition to minors prohibited.

Except as otherwise provided in Section 9.56.040, it is unlawful in the City for any person, firm, or corporation to sell, give, loan or in any way furnish or to cause or to permit to be sold, given, loaned or in any way furnished to any person under the age of sixteen years any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.56.040 Exceptions, Parental consent.

Nothing in this chapter shall be deemed or construed to prohibit in the City the selling, giving, loaning or furnishing to any person under the age of sixteen years upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.56.010 and 9.56.020, nor to prohibit any such person under the age of sixteen years from having in his or her possession, care, custody or control any article mentioned in Section 9.56.030 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Section 9.56.050 Violation, Penalty.

Any person convicted of a violation of this chapter shall be punished by imprisonment in the City or County Jail for a period not exceeding six months or by fine not exceeding five hundred dollars, or by both such fine and imprisonment.

Rolling Hills Estates Code of Ordinances
Codified through Ordinance No. 723, passed July 10, 2018, Effective January 1, 2019. (Supp. No. 25)

Title 5 Business Licenses and Regulations
Chapter 5.12 Permits for Certain Businesses

Section 5.12.010 Required.

No person shall operate, and no license shall be issued for any of the following businesses until a permit has first been obtained therefor upon application in writing for such permit pursuant to Chapters 5.12, 5.20 through 5.32, 5.40 through 5.48 and 5.64 of this code;

I. Dealers in concealable firearms;

Rosemead Code of Ordinances
Codified through Ordinance No. 980, passed July 10, 2018. (Supp. No. 28, 6-18)

Title 5 Business Licenses and Regulations
Chapter 5.41 Home Occupations

Section 5.41.100 Prohibited uses.

The following list presents examples of commercial uses that are not incidental to or compatible with residential activities, are suitable only in nonresidential zoning districts, and are therefore prohibited as home occupations:

Wholesale and retail sales, not including cottage food operations (e.g. automobiles, merchandise, herb and/or pharmaceuticals, guns and/or ammunition, etc.);

Roseville Code of Ordinances
Current through Ordinance No. 6015 and the November 2018 code supplement.

Title 19 Zoning
Article IV Special Area and Specific Use Requirements
Chapter 19.42 Home Occupation

Section 9.42.030 Limitation on use.

Home occupations shall be permitted in a dwelling, so long as the maximum cumulative impact of all such businesses shall not exceed the limits set forth in this section for a single home occupation. The following uses or activities are prohibited as home occupations:

A. Fire arms and ammunition sales;

Sacramento Code of Ordinances
Current through Ordinance 2018-0038 and the August 2018 code supplement

Title 5 Business Licenses & Regulations
Chapter 5.64 Firearm and Ammunition Sales

Section 5.64.010 Definitions.

The following words and phrases when used in this chapter shall have the following meanings:

"Applicant," means a person applying for a license to engage in firearm and ammunition sales. When the person is other than a natural person, "applicant" includes any officer, director, employee or agent of the person applying for the license.

"Chief of police" means the chief of police or the chief of police's designee.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon that expels a projectile through a barrel by the force of an explosion or other form of combustion.

"Firearm ammunition" means any cartridge or encasement containing a bullet or projectile, propellent or explosive charge, and a primer which is used in the operation of a firearm.

"Firearm and ammunition sales" means the selling, leasing or transferring of any firearm or firearm ammunition in quantity, in series, in individual transactions, or in any other manner indicative of trade; or the preparation for such conduct as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in such conduct. (Ord. 2013-0018 § 1; prior code § 28.05.500)

Section 5.64.020 License requirement and penalty for violation.

A. No person shall engage in firearm and ammunition sales, without a valid license from the chief of police. Gunsmiths, crafts makers and firearms collectors are not required to possess a license unless they sell, lease or transfer firearms.

B. The chief of police shall make available application forms requiring applicants to provide the information set forth in § 5.64.030. Applicants shall submit a completed application and a nonrefundable application fee to the revenue division of the department of finance. Upon receiving the application fee, the revenue division shall issue a receipt to the applicant showing that such application fee has been paid. The issuance of the receipt does not authorize an applicant to engage in firearm and ammunition sales until the necessary license has been lawfully issued.

C. The application fee amount shall be established by resolution of the city council and shall be the exclusive source of city funds from which recovery of all costs associated with this chapter may be obtained, including but not limited to, processing applications, monitoring licensees, and enforcing the provisions of this chapter.

D. Any person who violates subsection A of this section is guilty of a misdemeanor, punishable by imprisonment in the county jail not exceeding 6 months, or by fine not exceeding $1,000, or by both. The chief of police shall prescribe a form on which the chief of police shall inform the California Department of Justice that such violators do not meet the state requirements for gun licensees or dealers pursuant to Penal Code § 26700.

Section 5.64.030 Application form.

A. The application for a license to engage in firearm and ammunition sales shall be signed under penalty of perjury and shall set forth:

1. The name, age and address of the applicant;

2. The address of the location for which the license is required, together with the business name, if any, of such location;

3. All convictions of the applicant for any misdemeanor or felony;

4. All information relating to licenses or permits relating to firearms or other weapons sought by the applicant from other jurisdictions, including, but not limited to, the date(s) of application(s) and whether each such application resulted in issuance of a license or permit;

5. All information relating to suspension(s) or revocation(s) of licenses or permits relating to firearms, including, but not limited to, the date and circumstances of the suspension(s) or revocation(s);

6. Applicant's agreement to indemnify, defend, and hold harmless the city, its officers, agents, and employees, from and against any and all claims, losses, costs, damages and liabilities of any kind, arising in any manner out of the applicant's negligence or intentional or willful misconduct relative to the license for which the applicant is applying;

7. Applicant's understanding that the city shall have the right to enter the buildings and premises designated in the license from time to time during regular business hours to make reasonable inspections and to investigate and enforce compliance with building, mechanical, fire, electrical or plumbing regulations to the extent authorized by law;

8. Applicant's understanding that police department employees, as designated by the chief of police, shall have the right to enter the building and premises designated in the license during regular business hours to make reasonable inspections and to investigate and enforce compliance with the provisions of this chapter;

9. Other conditions deemed appropriate by the chief of police.

B. The application for a license to engage in firearm and ammunition sales shall be submitted with a copy of a valid special permit for the proposed location as required by Title 17.

C. The chief of police shall take the fingerprints of the applicant and shall confirm the information submitted. The chief of police shall act upon and either approve or deny the application at the earlier of the following: (1) within 180 days of receipt of the application; or (2) within 30 days after all required documentation and site investigations are conducted by the police department, the building inspection division, and the fire department; or (3) within 15 days of receipt of fingerprint verification by the State Department of Justice.

Section 5.64.040 Form of license.

All licenses issued pursuant to this chapter shall be in the form prescribed by the chief of police of the city.

Section 5.64.050 Referral of application to other departments.

A. A. Upon receipt of an application, the chief of police shall refer the application to the building inspection division and the fire department, which departments shall inspect the premises to be used for the sale of firearms and shall report to the chief of police concerning compliance with the codes they administer, and compliance with this chapter. To the extent possible, the police department, the building inspection division and the fire department shall conduct such site investigations jointly.

B. B. Upon receipt of the reports and recommendations from the building inspection division and the fire department, and within the time period specified in § 5.64.030 of this chapter, the chief of police shall render his or her decision. The chief of police shall either deny the application for one or more grounds specified in § 5.64.060 of this chapter, and specify the grounds upon which the denial is based, or approve the application, subject to such reasonable and appropriate conditions as may be imposed, including the conditions specified in § 5.64.110 of this chapter. (Prior code § 28.05.504)

Section 5.64.060 Denial of license.

Except as specifically provided otherwise herein, the chief of police shall deny the issuance of a license when any of the following conditions exist:

A. The applicant is under the age of 21 years;

B. The applicant has had a similar type of license previously revoked or denied within the immediately preceding 2 years for substantive reasons;

C. The applicant has made a false or misleading statement of a material fact, or omission of a material fact, in the application for a license. If a license is denied on this ground, any reapplication for a gun dealer license shall be automatically denied for a period of 2 years;

D. The applicant has been convicted of:

1. Any offense so as to disqualify the applicant from owning or possessing a firearm under applicable federal, state, and local laws,

2. Any offense relating to the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty, or deceit,

5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code;

E. The applicant is: (1) currently, or has been within the past 2 years, an unlawful user of any controlled substance as defined by the California Health and Safety Code; or (2) an excessive user of alcohol, to the extent that such use would impair his or her fitness to be a dealer in firearms;

F. Firearms having been confiscated from the applicant within the immediately past 2 years pursuant to California Penal Code § 18250;

G. Applicant has been detained for psychiatric evaluation pursuant to California Welfare and Institutions Code § 5150;

H. The operation of the business as proposed would not comply with all applicable federal, state, and local laws;

I. The applicant, or an officer, employee, or agent thereof does not have, and/or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

J. The applicant has failed to submit a complete application form and all information and documentation required by § 5.64.030; or

K. Any other ground for denial which exists under any applicable provision of federal, state, or local law.

Section 5.64.070 Duration and renewal of licenses.

Unless revoked on an earlier date, all licenses issued pursuant to this chapter shall expire 1 year after the date of issuance; provided, however, that such licenses may be renewed by the chief of police for additional periods of 1 year upon the approval of an application for renewal by the chief of police and payment of the renewal fee as established by resolution of the city council. Such renewal application shall set forth the information listed in § 5.64.030 of this chapter, and must be received by the chief of police, in completed form, no later than 45 days prior to the expiration of the current license. (Prior code § 28.05.506)

Section 5.64.080 Nonassignability of license.

The assignment of any license issued pursuant to this chapter is unlawful and any such assignment shall render the license null and void. In addition, the attempt to transfer or assign any license issued pursuant to this chapter shall be further grounds for revocation.

Section 5.64.090 Security.

Each business licensed under this chapter shall meet the requirements of a “secure facility” pursuant to § 17110 of the California Penal Code.

Section 5.64.100 Application for employee work permit.

A. Each employee who engages in firearm and ammunition sales must obtain either of the following: (1) a valid employee work permit from the chief of police; or (2) a valid certificate of eligibility issued by the California Department of Justice. The work permit requirement does not apply to employees at gun shows that are properly licensed under state and federal law.

B. The application for an employee work permit for an employee engaged in firearm and ammunition sales shall be submitted to the chief of police on a form provided by the chief of police. Prior to submitting such application, a nonrefundable fee as established by resolution of the city council shall be paid to the chief of police to defray, in part, the cost of investigation and report required by this section. The chief of police shall issue a receipt to the employee showing that such permit application fee has been paid. The issuance of such a receipt shall not authorize an employee to engage in firearm and ammunition sales until the necessary work permit has been lawfully granted.

C. The application to the chief of police shall be signed under penalty of perjury and set forth the following information:

1. The name, age and address of the employee;

2. The business name and address of the employer;

3. All convictions of the applicant for any misdemeanor or felony;

4. All information relating to licenses or permits relating to firearms or other weapons sought by the applicant from other jurisdictions, including, but not limited to, the date(s) of application(s) and whether each such application resulted in issuance of a license or permit;

5. All information relating to suspension(s) or revocation(s) of licenses or permits relating to firearms, including, but not limited to, the date and circumstances of the suspension(s) or revocation(s);

6. Other reasonable conditions deemed appropriate by the chief of police.

D. The chief of police shall take the fingerprints of the employee and shall confirm the information submitted.

E. The chief of police shall act upon and either approve or deny the application for an employee work permit at the earlier of the following: (1) within 180 days of receipt of the application; or (2) within 15 days of receipt of fingerprint verification by the State Department of Justice.

F. The chief of police shall deny the issuance of an employee work permit when any of the following conditions specified in §§ 5.64.060(D) through (G) exist.

G. Duration and Renewal of Work Permit. Unless revoked on an earlier date, all employee work permits issued pursuant to this chapter shall expire 1 year after the date of issuance; provided, however, that such work permits may be renewed by the chief of police for additional 1-year periods upon the approval of an application for renewal by the chief of police and payment of the renewal fee established by resolution of the city council. Such renewal application shall set forth the information listed herein, and must be received by the chief of police, in completed form, no later than 45 days prior to the expiration of the current employee work permit.

H. Nonassignability. The assignment of any employee work permit issued pursuant to this chapter is unlawful and any such assignment shall render the license null and void. In addition, the attempt to transfer or assign any employee work permit issued pursuant to this chapter shall be further grounds for revocation.

I. Grounds for Revocation of Work Permit. In addition to any other provisions of this section, any circumstances constituting grounds for denial of an employee work permit shall also constitute grounds for revocation of an employee work permit.

Section 5.64.110 License—Conditions.

In addition to all other requirements and conditions stated in this chapter, each licensee shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause of revocation of the license by the chief of police:

A. The business shall be carried on only in the building located at the street address shown on the license, except for gun shows as permitted under state and federal law.

B. The licensee shall comply with state law, including §§ 28050 through 28250 of the California Penal Code.

C. The licensee shall verify that each employee engaged in firearm and ammunition sales has obtained either of the following: (1) a valid employee work permit from the chief of police; or (2) a valid certificate of eligibility issued by the California Department of Justice. An employee shall not engage in firearm and ammunition sales if a work permit is denied or revoked by the chief of police. A licensee who permits an employee to work without a valid work permit or valid certificate of eligibility shall be in violation of this section.

D. The licensee shall not engage in firearm and ammunition sales, except for leases or transfers for theatrical purposes, without also selling or otherwise providing with each firearm a nonreturnable trigger lock. If the use of a trigger lock on a particular type of firearm is infeasible, then the licensee shall do the following: (1) demonstrate such infeasibility to the satisfaction of the chief of police; and (2) make available for sale a similar device, which is approved by the chief of police, that is designed to prevent the unintentional discharge of the firearm.

E. The licensee shall not sell, lease or otherwise transfer any firearm to any person whom the licensee reasonably believes is within any of the classes prohibited by state law, including California Penal Code §§ 29800 through 29875, 29900 and 29905 and California Welfare and Institutions Code §§ 8100 through 8103.

F. The licensee shall comply with all conditions, if any, of the special permit issued pursuant to Title 17.

G. The licensee shall comply with all federal, state, and local laws, and all provisions of this chapter.

H. Any license issued pursuant to this chapter shall be subject to such additional conditions as the chief of police finds are reasonably related to the purpose of this chapter.

Section 5.64.120 Grounds for revocation.

In addition to any other provisions of this chapter, any circumstances constituting grounds for denial of a license shall also constitute grounds for revocation of a license.

Section 5.64.130 Hearing on license and work permit denial or revocation.

A. Any person whose application for a license or work permit under this chapter has been denied, or whose license or work permit has been revoked pursuant to the provisions of this chapter, shall have the right to a hearing before the chief of police or his or her designee prior to final denial or prior to revocation.

B. The chief of police shall give the applicant, licensee or employee written notice of the intent to deny the application or to revoke the license or work permit. The notice shall be mailed, postage prepaid, to the last known mailing address of the licensee or employee and set forth the ground or grounds for the chief of police's intent to deny the application or to revoke the license or work permit and shall inform the applicant, licensee or employee that he or she has 10 days from the

date of mailing of the notice to file with the police department a written request for a hearing. The application may be denied or the license or work permit revoked if a written request for hearing is not received within the 10 day period.

C. If the applicant, licensee, or any employee who is required to obtain a valid work permit files a timely request for hearing, the chief of police shall set a time and place for the hearing. All parties involved shall have the right to: **(1)** offer testimonial, documentary and tangible evidence bearing on the issues; **(2)** be represented by counsel; and **(3)** confront and cross-examine any witnesses against them. If the hearing is before a designee of the chief of police, the designee shall make a written recommendation following the hearing regarding whether an application should be denied or a license revoked. The decision of the chief of police whether to deny the application or revoke the license or work permit shall be appealable by the applicant/licensee to the city council, pursuant to §§ 1.24.010 through 1.24.030 of this code, at which proceeding the chief shall have the burden of proof to justify his decision by a preponderance of the evidence. Time for hearing for denial of the license shall be held within 70 days of the application. A revocation hearing shall be held within 30 days of a notice stating intent to revoke the license or work permit.

Section 5.64.140 Suspension of license.

A. If the chief of police reasonably believes that a licensee has: (1) violated any federal, state or local law relating to the sale, lease, transfer, use or possession of firearms or firearm ammunition; or (2) has committed any of the offenses set forth in § 5.64.060; or (3) is within the class of persons set forth in § 5.64.060(E), (F) or (G), the chief of police may immediately suspend the license for a period not to exceed 90 days.

B. If the licensee is charged by a federal, state, or local prosecuting attorney with a violation of any such law, the chief of police may suspend such license until the charges are dismissed or the licensee is found not guilty in a court of law. If the chief of police suspends a license pursuant to this provision, the licensee shall be provided an opportunity to present evidence to the chief or his or her designee that the pending charges are without legal merit. The chief's decision regarding whether to suspend a license pending the outcome of such charges shall be appealable by the licensee to the city council, at which proceeding the chief shall have the burden of proof to justify his or her decision by a preponderance of the evidence.

C. Notice of suspension shall be mailed, postage prepaid, to the last known mailing address of the licensee.

Section 5.64.150 Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building and entire premises designated in the license from time to time during regular business hours to make reasonable inspections and to observe and enforce compliance with building, mechanical, fire, electrical, or plumbing regulations to the extent provided by law. Police department employees, as designated by the chief of police, may conduct compliance inspections to insure conformance with all federal, state, and local laws, and all provisions of this chapter.

Section 5.64.160 Compliance by existing dealers.

Any person lawfully engaging in the business of selling, leasing, or otherwise transferring any firearm or firearm ammunition on the effective date of the ordinance codified in this chapter shall have a period of 90 days after such effective date to comply with the provisions of this chapter.

Section 5.64.180 Rules and regulations.

The chief of police is authorized to promulgate such rules and regulations after noticed hearing as will enable the police department to effectuate the purposes of this chapter. Failure to comply with such rules and regulations, or with any other requirements imposed by this chapter, shall constitute grounds for revocation of licenses issued hereunder.

Chapter 5.66 Firearm Ammunition Sales Logs

Section 5.66.010 Definitions.

For the purpose of this chapter, the following words and phrases are defined as follows:

"Ammunition sales log" means the written or electronic record of a firearms ammunition sale as required under Section 5.66.020.

"Ammunition vendor" means any person, firm, corporation, dealer, or any other business enterprise that is engaged in the retail sale of any firearm ammunition; or that prepares for such conduct of business as evidenced by the securing of applicable federal, state or local licenses; or that holds itself out as engaged in the business of selling or otherwise transferring any firearm ammunition.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, that expels a projectile through a barrel by the force of an explosion or other form of combustion.

"Firearm ammunition" means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

"Sale" means the sale, barter, transfer or any means of providing goods to a transferee, including the provision of ammunition in conjunction with any firearm sale.

Section 5.66.020 Ammunition sales log required.

An ammunition vendor shall maintain an ammunition sales log which records all firearm ammunition sales as required by this chapter. The transferee shall provide, and the ammunition vendor shall record on the ammunition sales log, at the time of sale, the following information for each sale of firearms ammunition:

A. The name, address, and date of birth of the transferee;

B. The date of the sale;

C. The transferee's driver's license number, state identification card number, passport number, or other valid government-issued photographic identification;

D. The brand, type, and quantity of firearms ammunition transferred;

E. The identity of the person transferring the firearms ammunition on behalf of the ammunition vendor;

F. The transferee's signature and right thumbprint.

Section 5.66.030 Maintenance and inspection of ammunition sales log at location of sale.

The ammunition sales log required in Section 5.66.020 shall be recorded on a form approved by the chief of police. In addition to the requirements of Section 5.66.040, all ammunition sales logs shall be kept at the location of the firearms ammunition sale for a period of not less than two years from the date of the sale. Ammunition sales logs shall be open to reasonable inspection by peace officers at all times the ammunition vendor is regularly open for business.

Section 5.66.040 Electronic transmission of sale record to police department.

Within five calendar days of a firearms ammunition transfer, the ammunition vendor shall electronically transmit to the Sacramento police department all of the information set forth in subsections A to F of Section 5.66.020. The electronic transmittal shall be by a method, and in a format, approved by the chief of police.

Section 5.66.050 False information—False recordation.

No person shall knowingly provide false, inaccurate, or incomplete information to an ammunition vendor for the purpose of purchasing firearms ammunition. No ammunition vendor shall knowingly make a false, inaccurate, or incomplete entry in any ammunition sales log, nor shall any ammunition vendor refuse any reasonable inspection of an ammunition sales log subject to inspection under Section 5.66.030.

Section 5.66.060 Grace period.

Any ammunition vendor lawfully engaging in the business of selling or otherwise transferring any firearm ammunition on the effective date of the ordinance codified in this chapter shall have a period of ninety (90) days after such effective date to comply with the provisions of this chapter.

Section 5.66.070 Severability.

This chapter shall be enforced to the full extent authorized by law. If any section, subsection, paragraph, sentence, clause, or word of this chapter is deemed invalid or beyond the authority of the city, either on its face or as applied, the remainder of this chapter shall remain in full force and effect, and to that end the provisions of this chapter shall be deemed severable.

Section 5.66.080 Exemptions.

A. The provisions of this chapter shall not apply if the firearms ammunition transferee is any person described in Section 12302 or 12322 of the Penal Code of the state of California; any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer; any person who has been issued a permit to carry a concealed weapon under the authority of Section 12050 of the Penal Code of the state of California; or any security guard licensed under the authority of Section 12033 of the Penal Code of the state of California.

B. The provisions of this chapter shall not apply to shotgun ammunition containing projectiles (shot) of a diameter less than twenty-four hundredths of an inch.

Section 5.66.090 Violation—Penalty.

A. A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a five-hundred-dollar ($500.00) fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a one-thousand-dollar ($1,000.00) fine or imprisonment not to exceed six months, or both.

B. Violation of this chapter also constitutes grounds for revocation of a license issued under Chapter 5.64.

Title 9 Public Peace, Morals & Welfare
Chapter 9.32 Weapons & Explosives
Article 1 In General

Section 9.32.010 Definitions.

The following definitions apply in this chapter:

"Dangerous or deadly weapon" means, but is not limited to, … any dangerous or deadly weapon within the meaning of any law of this state restricting the use thereof; … and any firearm other than one carried pursuant to a valid permit, issued by a duly authorized governmental authority, or any ordinary rifle or shotgun lawfully carried for purposes of hunting or other lawful sport.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, which expels a projectile through a barrel by the force of an explosion or other form of combustion.

"Law enforcement officer" means any federal law enforcement officer or peace officer as defined under § 830 and following of the California Penal Code. (Ord. 2016-0005 § 1; prior code § 48.01.001)

Section 9.32.050 Dangerous or deadly weapons prohibited in cars.

It is unlawful for any person to have in his or her possession, in any automobile, any dangerous or deadly weapon, but this restriction shall not be deemed to prohibit the carrying of ordinary tools or equipment carried in good faith for uses of honest work, trade or business or for the purpose of legitimate sport or recreation. (Prior code § 48.01.005)

Section 9.32.180 Reporting of stolen or lost firearms required.

It is unlawful for any person who owns or possesses a firearm to knowingly or negligently fail to report the theft or loss of such firearm to the Sacramento police department within 48 hours of the time he or she knew or should have known the firearm has been stolen or lost, when either the owner or possessor resides in the city, or the theft or loss of the firearm occurs in the city. Any person violating this section is guilty of a misdemeanor.

Sacramento County Code of Ordinances
Codified through Ordinance No. 1623 and the June 2018 code supplement.

Title 4 Business Regulation
Chapter 4.10 Special Business Licenses and Employee Permits
Article 1 Applicability and Issuance

Section 4.10.005 License Required.

No person shall, unless under and by authority of a valid unexpired and unrevoked Special Business License, conduct or operate within the unincorporated area of the County, whether singularly or in connection with another type of enterprise, the following:

F. Sales of concealable firearms—including gunpowder;

A person shall be deemed to operate or conduct an enterprise or activity and violate this section and corresponding prohibitions in Chapters 4.14 through 4.50, inclusive, if the person, without an applicable Special Business License in effect, supervises, inspects, directs, organizes, manages or controls or is in any way responsible for or in charge of the enterprise or activity for which the License is required.

Salinas Code of Ordinances
Codified through Ordinance No. 2608 (NCS), passed October 9, 2018. (Supp. No. 79, 10-18)

Part II The Code
Chapter 12A Firearms

Section 12A-2 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

A. "**Firearm**" means any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

B. "**Firearm dealer**" means a person licensed pursuant to California Penal Code Section 12071 to engage in the business of selling, transferring or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm.

C. "**To engage in the business**" means the conduct of a business of selling, transferring or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the

holding of one's self out as engaged in the business of selling, transferring or leasing of any firearm, or the selling, transferring or leasing of firearms in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

D. "**Person**" means natural person, association, cooperative partnership, firm, association or corporation.

E. "**Safe firearm storage device**" or "**safe storage device**" shall mean any of the following devices, appropriate to the firearm, the proper use of which will prevent the unintentional discharge of the firearm:

(1) Any type of reusable locking device that is of adequate quality and construction to prevent children and unauthorized users from firing the firearm and that cannot be readily removed from the firearm or that the firearm cannot be readily removed from the device except by an authorized user utilizing a key, combination, or other method of access intended by the manufacturer of the device.

(2) The device shall be capable of rendering the sold, leased or transferred firearm inoperable when properly installed by keeping the trigger from releasing the sear thereby dropping the firing pin, or locking the action of the firearm open so that it will not go into battery or discharge. Any device integrated into the firearm by the manufacturer, which meets the criteria of this paragraph, shall qualify as a safe firearm device.

(3) All locks or locking devices sold, furnished or made available in order to comply with the provisions of this article shall have a unique key, or a combination with at least three tumblers.

(4) Any other firearm storage device approved by a California or federal law enforcement agency shall suffice under this section.

A firearms "safety" shall not be considered a safe storage device for purposes of this article.

Section 12A-3 Permit required.

It shall be unlawful for any person to engage in the business of operating or managing any business which sells, transfers, leases or offers or advertises for sale, transfer or lease, any firearm without first obtaining a firearms dealer permit from the chief of police of the Salinas police department.

Section 12A-4 Application, Forms, Fees.

An applicant for a permit under this chapter shall file with the chief of police a sworn application in writing, on a form to be furnished by the city. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state and local laws when required by the chief of police, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee, as established by resolution, which, to the extent practicable, shall reflect the cost of enforcing the requirements of this chapter.

Section 12A-5 Application, Investigation.

The chief of police shall conduct an appropriate investigation to determine for the protection of the public safety whether the permit may be issued. The chief of police may require additional information of an applicant deemed necessary to complete the investigation.

Section 12A-6 Application denial.

The chief of police shall deny the issuance of a permit when any of the following conditions exist:

(a) The applicant, or an officer, employee or agent thereof, is under the age of twenty-one years.

(b) The applicant is not licensed as required by all applicable federal, state and local laws.

(c) The applicant, or an officer, employee or agent thereof, has had a similar type of permit previously revoked or denied for good cause within the immediately preceding two years.

(d) The applicant, or an officer, employee or agent thereof, has made a false or misleading statement of a material fact or omission of a material fact in the application for a permit.

(e) The applicant, or an officer, employee or agent thereof, has been convicted of:

(1) Any offense so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable federal, state and local laws;

(2) Any offense relating to the manufacturing, sale, possession, use or registration of any firearm or dangerous or deadly weapon;

(3) Any offense involving the use of force or violence upon the person of another;

(4) Any offense involving theft, fraud, dishonesty or deceit;

(5) Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read.

(f) The applicant, or an officer, employee or agent thereof, is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a dealer in firearms.

(g) The applicant, or an officer, employee or agent thereof, has been adjudicated as a mental defective, or has been committed to a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a dealer in concealable firearms.

(h) The operation of the business as proposed will not comply with all applicable federal, state and local laws.

(i) The applicant, or an officer, employee or agent thereof, proposes to operate in the following locations:

(1) Within a zoning district in which general retail sales commercial activities are not a permitted or conditional use;

(2) Within a zoning district in which residential use is the principal permitted or maintained use. This restriction shall not apply to a federally registered firearms dealer who meets all of the following conditions:

(A) Sold, transferred or leased at least one firearm within the twelve months immediately preceding July 12, 1994;

(B) Has no officer, employee or agent assisting the dealer in the business;

(C) Does not conduct any advertising or publicity regarding the firearms business;

(D) Does not sell, transfer or lease more than fifty firearms in any calendar year;

(E) Has no felony or misdemeanor conviction;

(F) Maintains all state and federal firearms licensing requirements;

(G) Fully complies with the firearm storage requirements of Penal Code Section 12071(b)(14);

(H) Requires all purchasers to take handling instruction from the dealer or to provide certification of prior gun handling experience. This requirement is not a substitution for required federal, state or local safety courses;

(I) Agrees to city inspection of the residential premises with reasonable cause and upon one hour notice, except that neither notice nor cause is required for city inspection of firearms inventory and required records. Nothing contained in this subsection shall prevent inspections or searches as otherwise allowed by law;

(J) Agrees to indemnify, defend and hold the city, its officers, agents and employees harmless from claims arising from the negligence of the residential firearms dealer; provided, however, this exemption will terminate in the event that the dealer fails to comply with all of the terms of this chapter or the dealer loses the federal firearms permit or the dealer vacates the residence in which the dealer sold, transferred or leased firearms as of July 12, 1994, whichever occurs first;

(3) Within one thousand feet of a public or private day care center or day care home, or within one thousand feet of any elementary, junior high or high school, whether public or private;

(4) Within one thousand five hundred feet of the exterior limits of any other premises occupied by a dealer in firearms.

The distance restriction in this subsection shall not apply to any firearm dealer that is operating as of June 7, 1994 in a zoning district in which general retail sales commercial activities are either permitted or conditional uses.

(j) The applicant, or an officer, employee or agent thereof does not have, and/or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted.

(k) Any ground for denial exists as specified in the Salinas City Code.

Section 12A-6.1 Criminal history information.

The police department is authorized access to the state summary criminal history information maintained by the Department of Justice for applicants under this chapter for a firearms permit. The state summary criminal history information is limited to the criminal conduct specified in Section 12A-6. An applicant, or an officer, employee or agent thereof, shall be fingerprinted by the police department, and all costs for administering and processing the fingerprints shall be borne solely by the applicant, officer, employee or agent.

Section 12A-7 Permit form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the state of California.

Section 12A-8 Permit, Duration, Renewal.

All permits issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that such permits may be renewed by the chief of police for additional periods of one year upon the approval of an application for renewal by the chief of police and payment of the renewal fee. Such renewal application must be received by the chief of police, in completed form no later than forty-five days prior to the expiration of the current permit.

Section 12A-9 Permit, Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 12A-10 Permit, Conditions.

Any permit issued pursuant to this chapter shall be subject to all of the following conditions, any breach of which shall be sufficient cause for revocation of the permit by the chief of police:

A. The business shall be carried on only in the building located at the street address shown on the license.

B. The permittee shall comply with Sections 12071, 12072, 12073, 12074, 12076, and 12077 and 12082 of the California Penal Code, to the extent that the provisions remain in effect.

C. It shall be unlawful for any firearm dealer to sell, lease or otherwise transfer ownership of any firearm without also providing with the firearm a safe firearm storage device designed to prevent the unintentional discharge of the firearm being sold, leased or transferred. Such device shall be of a type approved by the chief of police and/or his/her designee. The permittee shall advise the chief of police of the type of device at the time of application for the permit, renewal of the permit or at any time the permittee desires to change the type of device previously approved by the chief of police.

> **(1)** The safe firearm storage device shall be locked in place, properly attached to, or properly covering, the firearm at the time it leaves the firearm dealer's premises.
>
> **(2)** Nothing in this article shall prevent the firearm dealer from recovering the cost of providing a safe firearm storage device by charging a price for the safe storage device, either separately or as part of the price of the firearm.

D. In connection with any sale, lease or transfer of a firearm, the firearm dealer shall obtain from the person receiving the firearm a signed acknowledgement that the dealer has provided the seller, lessor or transferee with a safe firearm storage device as required by this section.

E. Subsections 12A-10(C) and (D) are effective until January 1, 2002. On that date, Assembly Bill 106, enacting Penal Code Section 12087 et seq., shall become effective and the two subsections shall be superceded by state law and have no further force and effect.

Any permit pursuant to this chapter shall be subject to such additional conditions as the chief of police finds are reasonably related to the purpose of this chapter.

Section 12A-11 Permit, Grounds for revocation.

In addition to any provisions contained in this chapter, any circumstances constituting grounds for denial shall also constitute grounds for revocation.

Section 12A-12 Permit, Hearing.

A. Any person whose application for a permit under this chapter has been denied, or whose permit has been revoked pursuant to the provisions of this chapter, shall have the right to a hearing before the chief of police or a designee prior to final denial or prior to revocation.

B. The chief of police shall give the applicant or permittee written notice of the intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the permit revoked if a written hearing request is not received within the ten-day period.

C. If the applicant or permittee files a timely hearing request, the chief of police shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross examine any witnesses against them. The decision of the chief of police whether to deny the application or revoke the permit is final and nonappealable.

Section 12A-13 Permit, Liability insurance.

No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city attorney deems proper, executed by an insurance company approved by the city attorney whereby the applicant or permittee is insured against liability for damage to property and for injury to or death of any

person as a result of the sale, transfer or lease, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm. The minimum liability limits shall not be less than one million dollars for damage to or destruction of property in any one incident, and one million dollars for the death or injury to any one person; provided, however, that additional amounts may be required by the city attorney if deemed necessary.

Such policy of insurance shall contain an endorsement providing that the policy will not be cancelled until notice in writing has been given to the city, addressed in care of the chief of police, 220 Lincoln Avenue, Salinas, California, 93901, at least thirty days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall indemnify, defend and hold harmless the city, its officers, agents and employees, from claims arising from the negligence of the applicant or permittee.

The requirement for liability insurance shall not apply to residential gun dealers who operate pursuant to the requirements of Section 12A-6(i)(2)).

Section 12A-14 Permit, Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing or health regulations, and provisions of this chapter. A police investigator may conduct compliance inspections to insure conformance to all federal, state and local law, and all provisions of this chapter.

Section 12A-15 Compliance.

Any person engaging in the business of selling, transferring or leasing, or advertising for sale, transfer or lease or offering or exposing for sale, transfer or lease, any firearm on the effective date of this chapter shall have a period of sixty days after such effective date to comply with the provisions of this chapter.

Section 12A-16 Temporary suspension of permit to sell firearms.

A. If the dealer violates any federal, state and local county or city law, the chief of police may immediately suspend the right of the dealer to sell firearms. This temporary suspension will not exceed three days. If the violation results in a criminal charge filed in court by a federal, state or county district attorney, such permit to sell firearms may be suspended until the case is adjudicated in a court of law.

B. Notice of suspension shall be mailed to the person(s) who made application for the permit and shall be delivered to the address listed on the permit.

Section 12A-17 Penalties.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

Section 12A-18

This chapter shall be enforced to the full extent of the authority of the city of Salinas. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the city of Salinas, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this chapter, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this chapter shall be deemed severable.

Chapter 37 Zoning
Article III Base District Regulations
Division 3 Commercial (C) Districts

Section 37-30.200 Use classifications.

Table 37-30.90 identifies the use classifications for properties located in the commercial (C) districts:

Table 37-30.90 Commercial (C) Districts Use Classifications					
Land Use	CO/R	CO	CR	CT	Additional Use Regulations
Commercial Uses					
Secondhand or Consignment Stores	NP	NP	SPR	NP	(35)

Notes:
NP = Not Permitted Use
SPR = Site Plan Review Required
(35) No firearm or weapon sales shall be permitted.

Division 4 Mixed Use (MU) Districts

Section 37-30.240 Use classifications.

Table 37-30.110 identifies the use classifications for properties located in the mixed use (MU) districts:

Table 37-30.110 Mixed Use (MU) Districts Use Classifications			
Land Use	MAF	MX	Additional Use Regulations
Commercial Uses			
Secondhand or Consignment Stores	CUP	CUP	(38)

Notes:
CUP = Conditional Use Permit Required
(38) No firearm or weapon sales shall be permitted.

San Anselmo Code of Ordinances

Codified through Ordinance No. 1124, passed June 26, 2018. (Supp. No. 27, 8-18)

Title 4 Public Welfare, Morals and Conduct
Chapter 18 Regulation of Firearms
Article 1 Regulation of Firearms Dealers

Section 4-18.01 Definition of firearm.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by force of explosion or other means of combustion.

Section 4-18.02 Definition of firearm dealer.

"Firearm dealer" and **"licensee,"** as used in this article, mean any person licensed to sell, lease or transfer firearms pursuant to California Penal Code Section 12071(a)(1).

Section 4-18.02.1 Definition of Police, Chief, Sheriff.

"Police" or **"Police Department"** as used in this chapter shall mean the Town of San Anselmo Police Department. "Chief" as used in this chapter shall mean the Chief of Police or his designee. "Sheriff" as used in this chapter shall mean the Marin County Sheriff or his designee.

Section 4-18.03 Permit required.

It is unlawful for any firearms dealer to sell, lease or transfer firearms without a permit issued in accord with this Article 1.

Section 4-18.04 Application.

(a) An applicant for a permit or renewal of a permit under this chapter shall file with the Chief an application in writing, signed under penalty of perjury, on a form prescribed by the Town. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including:

(1) The name, including any aliases or prior names, age and address of the applicant;

(2) The applicant's Federal Firearms License and California Firearms Dealer numbers;

(3) The address of the proposed location for which the permit is required, together with the business name, and the name of any corporation, partnership or association that has ownership in, or control over, the business, if any;

(4) The names, ages and addresses of:

(i) All persons who will have access to or control of workplace firearms, including but not limited to, the applicant's employees, agents and/or supervisors, if any;

(5) Proof of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

(6) A floor plan of the proposed business, which illustrates the applicant's compliance with security provisions as outlined in Section 4-18.07 of this chapter;

(7) Proof of compliance with all federal and state licensing laws;

(8) Information relating to every license or permit to sell, lease, transfer, purchase, or possess firearms sought by the applicant from any jurisdiction in the United States, including, but not limited to, the date of application; whether each application resulted in the issuance of a license and the date and circumstances of any revocation or suspension;

(9) Information relating to every revocation of a license or permit relating to firearms, including, but not limited to, date and circumstances of the revocation;

(10) Applicant's agreement to indemnify, defend and hold harmless the Town, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees arising in any manner out of the applicant's negligence or intentional or willful misconduct;

(11) Certification of satisfaction of insurance requirements;

(12) The date, location, and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(b) The application shall be accompanied by a nonrefundable fee of Five Hundred and no/100ths ($500.00) Dollars for administering this chapter. The fee may be increased by resolution of the Town Council upon evidence of the actual cost of administering the application. The Council finds that the Five Hundred and no/100ths ($500.00) Dollar fee is reasonable and proper for administering this chapter.

Section 4-18.05 Investigation by Chief.

The Chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The Chief shall require an applicant, or any officer, agent or employee thereof, that will have access to or control of firearms to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the Chief, and any other additional information which the Chief considers necessary to complete the investigation.

Section 4-18.06 Conditions of approval.

In addition to other requirements and conditions of this chapter, a permit by the Chief is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the permit by the Chief:

(a) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event that is authorized by federal, state and local law upon compliance with that law and upon compliance with any Town of San Anselmo ordinance regulating the permissible locations of gun shows;

(b) The Chief's permit or a certified copy of it shall be displayed on the premises and at gun shows where it can be easily seen;

(c) The applicant shall not permit any person under eighteen (18) years of age to enter or remain within the premises without being accompanied by the parent, grandparent, or legal guardian for the minor child where the firearm sales activity is the primary business performed at the site;

(d) This subsection (d) rescinded on January 1, 2002, the effective date of AB 106.

Section 4-18.07 Requirement of a secured facility.

Firearms dealers must comply with California Penal Code Section 12071(b)(14) which provides at any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(a) Store the firearm in a secure facility as defined by Penal Code Section 12071(c)(3) that is part of, or that constitutes, the licensee's business premises;

(b) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises;

(c) Store the firearm in a locked fireproof safe or vault on the licensee's premises.

Section 4-18.08 Liability insurance.

(a) No permit issued by the Chief shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the Town and executed by an insurance company approved by the Town, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than One Million and no/100ths ($1,000,000.00) Dollars for each incident of damage to property or incident of injury or death to a person; provided, however, that increased limits of liability may be required by the Town Attorney if deemed appropriate in his or her sole discretion.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the Town Administrator at least thirty (30) days prior to the time the cancellation becomes effective.

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained immediately, the permit is considered canceled without further notice.

Section 4-18.09 Issuance of permit issued by Chief, Duration.

(a) The Police Department may grant a Chief's permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including but not limited to, the State Penal Code, Town Building Code, fire, zoning and planning codes.

(b) A permit issued by the Chief expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable Twenty-five and no/100ths ($25.00) Dollars renewal fee. The renewal application and the renewal fee must be received by the Police department no later than forty-five (45) days before the expiration of the current permit.

(c) A decision regarding issuance or renewal of a permit may be appealed in the manner provided pursuant to Section 4-18.12.

Section 4-18.10 Grounds for permit denial.

The Chief shall deny the issuance or renewal of a Chief's permit when one or more of the following conditions exist:

(a) The applicant has not complied with the requirements of this chapter;

(b) The applicant, or any officer, employee or agent thereof who will have access to and control of firearms is under twenty-one (21) years of age;

(c) The applicant is not licensed as required by federal and state law;

(d) The applicant or any officer, employee or agent thereof who will have access to or control of firearms has had a license or firearms permit to sell, lease, transfer, purchase or possess from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five (5) years;

(e) The applicant or any officer, employee or agent thereof who will have access to or control over firearms has made a false or misleading statement of a material fact or omission of a material fact in the application for a police permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five (5) years;

(f) The applicant or any officer, employee or agent thereof who will have access to or control over firearms has been convicted of:

> **(1)** An offense which disqualifies that person from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code Section 12021,
>
> **(2)** An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon,
>
> **(3)** An offense involving the use of force or violence upon the person of another with a deadly weapon,
>
> **(4)** Any felony, misdemeanor burglary or misdemeanor fraud,
>
> **(5)** An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code;

(g) The applicant or any officer, employee, or agent thereof who has control over firearms is within a class of persons defined in Welfare and Institutions Code Sections 8100 or 8103;

(h) The applicant or any officer, employee, or agent thereof who has control over firearms is currently, or has been within the past five (5) years, an unlawful user of a controlled substance as defined by the Health and Safety Code;

(i) The operation of the business as proposed would not comply with federal, state or local law.

Section 4-18.11 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a Chief's permit also constitute grounds for revocation.

Section 4-18.12 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the Chief has the right to a hearing before the Chief before final denial or revocation.

(b) Within ten (10) days of the mailing of written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the Chief. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the Chief should set a time and place for the hearing within thirty (30) days.

(c) The decision of the Chief shall be in writing within ten (10) days of the hearing. An applicant may appeal the decision of the Chief to the Town Manager or his designee.

Section 4-18.13 Nonassignability.

A Chief's permit issued under this chapter is not assignable. An attempt to assign a Chief's permit renders the permit void.

Section 4-18.14 Compliance by existing dealers.

A person engaging in firearm sales activity on the effective date of this chapter or any amendment to it shall, within sixty (60) days after the effective date, comply with this chapter and any amendment to it.

Section 4-18.15 Record of ammunition sales.

Every holder of a business license to sell ammunition shall maintain records pertaining to ammunition sales prescribed by this chapter on the licensed premises and in the manner prescribed herein. The record shall show:

(a) The date of the transaction;

(b) The purchaser's name, address and date of birth;

(c) The purchaser's driver's license number or other identification and state where issued;

(d) The brand of ammunition purchased;

(e) The type and amount of ammunition purchased; and

(f) The purchaser's signature.

(g) Log of Ammunition Sales. The information required by this subsection 4-18.15(g) shall be completed in the logbook at the time of the purchase. Such information shall be recorded in the following format:

Ammunition Sales Registration Logstore:

Date	Address	Date of Birth	License/ID & State	Ammunition Brand	Ammunition Type & Amount	Purchaser Signature

(1) The record shall be maintained in chronological order by date of sale of the ammunition, and shall be retained on the licensed premises of the business licensee for a period of two (2) years following the date of the purchase of the ammunition.

(2) At the direction of the Chief, Town of San Anselmo Police officers may enter the premises of any licensed vendor of ammunition during regular business hours for the purpose of examining or inspecting any record required by this chapter.

(3) Exception. The provisions of this section shall not apply to the sale of firearm ammunition by a firing range licensed to do business in the Town of San Anselmo when the ammunition so purchased is expended on the premises of the range and not removed for use outside the range premises.

Section 4-18.16 Penalty.

(a) Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Five Hundred and no/100ths ($500.00) Dollars or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person.

(1) The Marin County District Attorney is hereby designated as the prosecuting agency for violations of this article whenever such violations are to be charged as misdemeanors.

(b) Any person found to be in violation of this chapter shall be subject to the revocation of his or her law enforcement permit to sell, lease or transfer firearms.

(c) In addition to any other penalty or remedy, the County Counsel or Town Attorney may commence a civil action to seek enforcement of these provisions.

San Bernardino County Code of Ordinances

Codified through Ordinance No. 4351, passed September 25, 2018.

Title 2 Public Morals, Safety and Welfare
Division 2 Firearms and Dangerous Weapons
Chapter 1 Firearms

Section 22.0110 Purchase of firearms.

No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of 18 years, a revolver or pistol of any description, shotgun, or rifle, which may be used for the explosion of cartridges, or any airgun, "B-B" gun, gas-operated gun or spring gun, or any knife or knives having the appearance of a pocketknife, the blade or blades of which can be opened by a flick of a button, pressure of the handle or other mechanical devices; or any instrument, toy or weapon commonly known as a "sling shot," or any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name. Any such weapon possessed in violation of this Chapter may be confiscated by any peace officer.

Section 22.0111 Prohibiting firearms – possession by minors.

No person under the age of 18 years shall have in his or her possession, care, custody or control, any of the articles mentioned in § 22.0110 of this Chapter except within his or her own domicile or except when accompanied by and under the immediate supervision of a parent, guardian, or responsible adult. This Section shall not apply to any person possessing a valid California hunting license.

Section 22.0112 Disposition of confiscated firearms.

Every peace officer taking a weapon used in violation of this Chapter, shall deliver the same to the Sheriff to be held by him or her until the final determination of the prosecution for said offense; and upon the finding of guilt it shall then be the duty of the Sheriff on a first offense to return the weapon to the owner and on a second offense the Sheriff is authorized to confiscate and destroy it.

Section 22.0114 Penalty.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $500.00 or by imprisonment in the County Jail, not exceeding six months, or by both such fine and imprisonment.

Section 22.0116 Retail license.

The Sheriff of San Bernardino County shall be the licensing authority for the unincorporated area of San Bernardino County responsible for accepting applications and granting licenses under the provisions of Penal Code § 12071. The Sheriff shall collect an annual license fee of $50.00 for each license issued pursuant to Penal Code § 12071. License fees collected under this Section shall be deposited in the County General Fund.

San Bruno Code of Ordinances

Codified through Ordinance No. 1864 and the October 2018 code supplement.

Division 6 Public Peace, Morals and Welfare
Chapter 6.04 Definitions

Section 6.04.070 Firearm.

"Firearm" means any device, designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion. "Firearm" shall include, but not be limited to any cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun, or any other weapon of similar nature designed to discharge a projectile.

Chapter 6.08 Firearms
Article 2 Firearms Dealers

Section 6.08.040 Permit required.

No person shall engage in the business of selling, transferring or leasing, or offering or exposing for sale, transfer or lease within this city any firearm unless that person has been issued a permit pursuant to the provisions of this chapter.

A. Except as provided in Penal Code Section 26700, as it may be amended from time to time, and in Section 6.08.180, it is unlawful for a person to engage in the activity of "firearm sales" as that term is defined under Section 6.08.010(E) without a police permit as required by this chapter.

B. The requirement for a police permit is in addition to any requirement imposed by the city's zoning code.

Section 6.08.050 Application—Form, fees.

A. An applicant for a permit under this chapter shall file with the chief of police a sworn application in writing, on a form to be furnished by the city, and the applicant and officers, employees, and agents thereof shall be photographed and fingerprinted by the chief of police. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws when required by the chief of police, or the application will not be deemed complete. A nonrefundable fee as set forth in the municipal fee schedule shall accompany the application.

B. Any person proposing to engage in business as a firearms dealer within this city shall secure the applicable federal license and shall have thirty calendar days after approval of such federal license to apply for a police permit in compliance with the provision of this chapter and shall not engage in the business as a firearms dealer within the city until the police permit is issued, as well as comply with all other applicable local, state, and federal requirements.

Section 6.08.060 Application—Investigation.

The chief of police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief of police may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the chief of police, and any other additional information which the chief of police considers necessary to complete the investigation.

Section 6.08.070 Application—Denial.

The chief of police shall issue a police permit to an applicant unless he or she finds any of the following:

A. The applicant, or an officer, employee, or agent thereof is under the age of twenty-one years;

B. The applicant is not licensed as required by all applicable federal, state, and local laws;

C. The applicant, or an officer, employee, or agent thereof has had a similar type of permit previously revoked or denied for good cause within the immediately preceding year;

D. The applicant, or an officer, employee, or agent thereof has knowingly made any false or misleading statement of a material fact or omission of a material fact in the application for a permit;

E. The applicant, or an officer, employee, or agent thereof has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee, or agent thereof from owning or possessing a firearm under applicable federal, state, and local laws,

2. Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,

3. Any offense involving the use of force or violence upon the person of another,

4. Any offense involving theft, fraud, dishonesty, or deceit,

5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

F. The applicant, or an officer, employee, or agent thereof is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

G. The operation of the business as proposed will not comply with all applicable federal, state, and local laws;

H. The business as proposed will not be operated in the following locations:

1. Following adoption of applicable zoning code and general plan amendments, within a zoning district other than the designated area of the M-1 Industrial District as shown on the city's zoning map bounded by Tanforan Avenue to the north, Montgomery Avenue to the west, Hermosa Street to the south, and San Mateo Avenue to the east,

2. Within a zoning district in which residential use is the principal permitted or maintained use, or within two hundred fifty feet of the exterior limits of any such district, or within two hundred fifty feet of any existing residential use,

3. On or within two hundred fifty feet of the exterior limits of any other premises occupied by a public or private day care center or day care home, elementary school, junior high school, or high school, or park,

4. On or within one thousand two hundred feet of the exterior limits of any other premises occupied by a firearms dealer, a cardroom, a massage establishment, an adult entertainment establishment, or a hot tub/sauna establishment. Priority between such existing establishments shall be assigned in accordance with the dates upon which such establishments commenced such lawful operation, priority being given to the establishment having the earliest of such dates. In the event any dispute arises regarding said date, the applicant shall have the obligation to establish the date on which he or she commenced lawful operation.

All distances referred to in this subsection shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a dealer in firearms subject to the provisions of this chapter occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit occupied. This subsection shall supersede any and all conflicting provisions regulating home occupations set out elsewhere in this code;

I. The applicant, or an officer, employee, or agent thereof does not have, and/or cannot provide evidence of, a possessory interest in the property at which the proposed business will be conducted;

J. The operation of the firearm dealer business as proposed in the application for the permit will violate any applicable building, fire, health or zoning requirements set forth in this code;

K. The applicant is within the class of persons defined in Welfare and Institutions Code Section 8100 or 8103;

L. Hours of operation would be outside of those approved in advance by the chief of police.

Section 6.08.080 Permit—Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the state of California.

Section 6.08.090 Permit—Duration, renewal.

A. The police department may grant a police permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including, but not limited to, the State Penal Code, city building code, fire code, and zoning code.

B. A police permit expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal on a form furnished by the city, accompanied by a nonrefundable renewal fee established by city council resolution. The renewal application and the renewal fee must be received by the police department no later than forty-five days before the expiration of the current permit.

C. A decision regarding issuance or renewal may be appealed in the manner provided for in Section 6.08.140.

Section 6.08.100 Permit—Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter to another person or entity is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

Section 6.08.110 Permit—Conditions.

Any permits issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police:

A. The business shall be engaged-in only in the building located at the street address designated in the permit, and only by such persons as specified in the permit; the business may also be engaged-in at such other locations or events as are authorized by federal and state law provided that such location or event conforms to the requirements of this code; any changes to the approved location or to the persons authorized to act as officers, employees, or agents of the permittee in engaging in the business during the term of the permit must be approved by the chief of police;

B. The permit or a copy thereof, certified by the chief of police, shall be displayed on the premises where it can easily be seen;

C. The permittee shall comply with all federal and state firearms laws. Any permit issued pursuant to this chapter shall be subject to such additional conditions as the chief of police finds are reasonably related to the purposes of this chapter, which include, but are not limited to, the safety and security of the occupants of the establishment, its patrons, and the public.

Section 6.08.120 Permit—Grounds for revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a police permit also constitute grounds for revocation.

Section 6.08.130 Liability insurance.

A. No police permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the city and executed by an insurance company approved by the city, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease, or transfer or offering for sale, lease, or transfer of a firearm. The minimum liability limits shall not be less than one million dollars for each incident of damage to property or incident of injury or death to a person.

B. The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the chief of police at least thirty days prior to the time the cancellation becomes effective.

C. Such policy of insurance shall name the city, its officers, agents, and employees as additional insureds. Additionally, applicants and permittee shall indemnify, defend, and hold harmless the city, its officers, agents, and employees from claims arising from the negligence of the applicant or permittee.

D. Upon expiration of a policy of insurance and if no additional insurance is obtained, the permit is considered canceled without further notice.

Section 6.08.140 Hearing for permit denial or revocation.

A. Any person whose application for a permit has been denied, or whose permit has been revoked pursuant to the provision of this chapter, shall have the right to a hearing before the chief of police prior to final denial or prior to revocation.

B. The chief of police shall give the applicant or permittee written notice of his or her intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the permit revoked if a written hearing request is not received within the ten-day period.

C. Within ten days of mailing written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the chief of police. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the chief of police shall set a time and place for the hearing within thirty days.

D. All parties involved shall have the right to offer testimony, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the chief of police whether to deny the application or revoke the permit shall be in writing within ten days of the hearing. An applicant may appeal the decision of the chief of police to the city council in the manner provided in Chapter 1.32.

Section 6.08.150 Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, or provisions of this chapter. A police investigator may conduct compliance inspections to ensure conformance with all federal, state, and local laws, and the provisions of this chapter.

Section 6.08.160 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm on the effective date of the ordinance codified in this chapter shall have a period of sixty days after such effective date to comply with the provisions of this chapter.

Section 6.08.170 Business and security regulations.

A. All firearm dealers and officers, employees, or agents of the firearm dealer shall comply with all provisions of California Penal Code Section 12071 regarding business regulations and building specifications for firearm security.

B. All sellers of firearms shall protect such firearms from theft during business hours in the following manner:

1. All firearms shall be displayed in locked cabinets, a secured rack, or a storage area so that access to firearms is controlled by the dealer or an employee, to the exclusion of all others.

2. The firearm dealer or the dealer's agent or employee shall be present when a prospective buyer or seller is handling any firearm prior to sale and delivery of the firearm.

3. By security cameras, reinforced windows and doors, a safety and security plan, or other measures as reasonably required by the chief of police and fire marshal, including, but not limited to, timed exterior lights, landscaping will not block visibility into the business, alarm system, and remote intercom entry.

C. All firearms shall be stored in an approved gun safe (or a gun safe room if necessary) during hours of business non-operation.

Section 6.08.180 Nonconforming use.

Notwithstanding the provisions of Section 6.08.040(A) and the effective date of the ordinance codified in this chapter, any person engaged in firearm sales who is the holder of a valid seller's permit issued by the State Board of Equalization and a valid certificate of eligibility issued by the California Department of Justice, all of which were issued prior to January 1, 1998, need not obtain the police permit required by this chapter, provided the operator remains fully licensed by all agencies listed above.

Section 6.08.190 Penalty.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this article shall be punished by a fine of not more than one thousand dollars or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punished accordingly. In addition, any person found to be in violation of this article shall be considered in noncompliance with the requirements of this chapter, and subject to the suspension and/or revocation of a firearm sales permit under Sections 6.08.070 and 6.08.120 of this chapter.

Section 6.08.200 Severability.

This chapter shall be enforced to the full extent of the authority of the city of San Bruno. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the city of San Bruno, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this chapter, and the applications thereof; and to that end, the section, subsections, paragraphs, sentences, and words of this chapter shall be deemed severable.

San Buenaventura Code of Ordinances

Codified through Ordinance No. 2018-016, enacted September 10, 2018. (Supp. No. 46)

Division 6 Business Regulations
Chapter 6.211 Security Measures for Ammunition Retailers

Section 6.211.010 Definitions.

A. Ammunition means any cartridge or encasement containing a bullet or projectile, propellant, or explosive charge, and a primer that is used in the operation of a firearm.

B. Ammunition vendor means any person, firm, corporation, dealer, or any other business enterprise that is engaged in the retail sale or transfer of any ammunition; or that prepares for such conduct of business as evidenced by the securing of applicable federal, state, or local licenses; or that holds itself out as engaged in the business of selling or otherwise transferring any ammunition.

Section 6.211.020 Ammunition vendor safety standards.

A. Secured facility. Every business engaged in the sale or transfer of ammunition within the City shall meet the requirements of a "secured facility" pursuant to Section 17110 of the California Penal Code.

B. Vehicle impact protection devices required. In addition to the requirements of Section 6.211.020, vehicle impact protection devices, as defined and described herein shall be required adjacent to the ammunition vendor's warehouse doors, glass windows, and/or other doors and entrances, where a motor vehicle can impact and gain unauthorized entry to the ammunition vendor's business.

Section 6.211.030 Elements of vehicle impact protection devices.

A. Required vehicle impact protection devices shall take the form of bollards, as defined and provided below:

1. Bollards, posts, and guard posts shall comply with all of the following requirements:

(a) Constructed of steel or other material not less than four inches in diameter.

(b) Spaced so that a motor vehicle with a width of four feet may not make physical contact with the ammunition vendor's warehouse doors, glass windows, and/or other doors and entrances without first striking a bollard, post, or guard post. The City's Planning Division may approve minor deviations to these spacing requirements to accommodate site conditions.

(c) Set with the top of the post not less than three feet and not greater than four feet above finished grade.

(d) Located between the vehicle parking spaces or drive aisle and the ammunition vendor's warehouse doors, glass windows, and/or other doors and entrances.

(e) Such bollards or posts shall be black, grey, safety yellow, bronze, stainless steel, concrete finish or similar color, as approved by the Planning Division, as applicable.

(f) The color and design of the bollards or posts shall be consistent throughout each shopping center, unless otherwise approved by the Planning Division.

(g) Bollards or posts shall be properly maintained, including no visible rust or corrosion, and be kept in uniform alignment. Use of protective or decorative sleeves is permitted.

Section 6.211.040 Conflicts with other laws.

A. In the event the terms of this Chapter or the application to any ammunition vendor would cause a parking lot to not comply with a provision of federal or state law or another provision of this Code, City staff shall apply this Chapter in a manner to carry out the provisions of both federal and state law and the other provisions of this Code.

B. When there is an irreconcilable conflict between the provisions of this Chapter and the provisions of federal or state law or other provisions of this Code, the provisions of federal and state law and the other provisions of this Code shall prevail over the provisions of this Chapter, but only to the extent necessary to avoid a violation of those other laws or Code provisions. If the Planning Division determines that the provisions of federal or state law or the other provisions of this Code prevail over the provisions of this Chapter with respect to the location of an ammunition vendor on a particular lot or parcel, the Planning Division shall provide the owner of that lot or parcel with such determination in writing within ten calendar days of the date of his or her determination.

Section 6.211.050 Minor adjustments.

The Planning Division may approve minor modifications to the vehicle impact protection standards contained in this Chapter to accommodate for the location of above ground or underground utilities or other existing or planned features of the development, provided the modifications achieve the same protections as intended by this Chapter.

Section 6.211.060 Amortization period.

A business licensed under this Chapter and already operating prior to the implementation of this Chapter shall have the vehicle impact protection devices installed on or before the end of the 12th month following the effective date of the ordinance adopting this Chapter.

Section 6.211.070 Permit and processing fees.

The City Council may by Resolution establish the amount of any fees necessary to carry out the purposes of this Chapter.

San Carlos Code of Ordinances
Codified through Ordinance No. 1536, passed October 22, 2018.

Division 18 Zoning
Article III Regulations Applying to Some or All Districts
Chapter 18.23 Standards for Specific Uses and Activities

Section 18.23.120 Home occupations.

E. Prohibited Home Occupations. The following specific businesses are not permitted as home occupations:

1. Firearms manufacture, sales, or repair;

San Clemente Code of Ordinances
Codified through Ordinance No. 1664, enacted September 18, 2018. (Supp. No. 47)

Division 17 Zoning
Chapter 17.36 Commercial Zones and Standards

Section 17.36.020 Commercial Use Regulations.

A. Permitted and Conditionally Permitted Uses. Tables 17.36.020, Commercial Zone Uses, list uses which shall be the primary uses allowed to occur on a property. All uses except for those provided for in Sections 17.28.210, Outdoor Display Areas, and 17.28.300, Temporary Uses and Structures, of this title shall be conducted within enclosed structures. The primary uses identified in Table 17.36.020, Commercial Zone Uses, shall be permitted or conditionally permitted as indicated:

P Where the symbol "P" appears, the use shall be permitted.

MC Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Section 17.16.070, Minor Conditional Use Permits, of this title.

C Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title.

O Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.

B. Prohibited Uses. The following uses are prohibited:

1. Uses that are listed in Table 17.36.020 but that are not identified as either permitted , "P" , or conditionally-permitted , "MC" or "C"; and

2. Uses that are excluded from Table 17.36.020, unless they are found by the City to be similar to permitted or conditionally-permitted uses.

3. Uses where a blank cell appears in Table 17.36.020.

Table 17.36.020 Commercial Zone Uses

Use	Zones										
1. Commercial	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
Gunsmith/Gun Shops			C	C	C	C	C	C	C		

Chapter 17.40. Mixed-Use Zones and Standards

Section 17.40.030 Mixed-Use Regulations.

A. Permitted and Conditionally Permitted Uses.

1. General Requirements. The uses identified in Table 17.40.030, Mixed-Use Zone Uses, shall be the primary uses allowed to occur on a property. All uses except for those provided for in Sections 17.28.210, Outdoor Display Areas and 17.28.300, Temporary Uses and Structures, of this title shall be conducted within enclosed structures. The primary uses identified in Table 17.40.030 shall be permitted or conditionally permitted, as indicated.

P Where the symbol "P" appears, the use shall be permitted.

MC Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Section 17.16.070, Minor Conditional Use Permits.

C Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title. If the use is located in the -CB Overlay District, it shall be reviewed for its appropriateness in pedestrian-oriented spaces in accordance with Section 17.56.030, Central Business District Overlay.

O Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.

B. Prohibited Uses. The following uses are prohibited:

1. Uses that are listed in Table 17.40,030 but that are not identified as either permitted , "P" , or conditionally-permitted , "MC," "C," or "O"; and

2. Uses that are excluded from Table 17.40.030, unless they are found by the City to be similar to permitted or conditionally-permitted uses.

3. Uses where a blank cell appears in Table 17.40.030.

Table 17.40.030 Mixed-Use Zone Uses

Use	Zones							
1. Commercial Uses	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
Gunsmith/Gun Shops	C	C	C	C	C	C	C	

San Diego County Code of Ordinances
Codified through Ordinance No. 10567, effective November 9, 2018.

Title 2 Business Regulations & Business Taxes
Division 1 Business Regulations
Chapter 12 Firearms Dealers

Section 21.1202 Definitions.

For the purposes of this chapter the following definitions shall apply:

(a) "Firearm" means any device defined as a firearm in Penal Code § 16520.

(b) "Firearms dealer" means a person who meets the requirements of Penal Code § 26700 and to whom a license has been issued pursuant to this chapter.

(c) "Firearms dealer employee" means a person who works for a firearms dealer as an agent, employee or representative.

Section 21.1203 License required.

The licensing authority for firearm dealers in the unincorporated area of the County is the Sheriff. It shall be unlawful for any person to sell, lease or transfer a firearm in the unincorporated area of the County without a license issued by the

Sheriff pursuant to Penal Code §§ 16130, 16400, 16550, 16810, 17110, 26700-26915 (inclusive). This section shall not apply to a firearms transaction excluded under Penal Code §§ 16620, 16730 (a) & (c), 16960, 17310, 26500-26588 (inclusive). A person requesting a license under this chapter shall submit an application on a form provided by the Sheriff. A firearms dealer's license is governed by §§ 21.101- 21.117 and any additional conditions in this chapter.

Section 21.1204 Minimum age for firearms dealer.

The minimum age to be a firearms dealer is 21.

Section 21.1205 Additional grounds for denial of license.

In addition to the grounds for denial of a license under § 21.108 the Sheriff may deny a firearms dealer's license if the dealer fails to meet any requirement under Penal Code § 16130, 16400, 16550, 16810, 17110, 26700-26915 (inclusive) or if the Sheriff determines the applicant:

(a) Is disqualified from owning or possessing a firearm under federal, State or County laws or regulations.

(b) Has within 5 years preceding the date of the application been convicted of any offense relating to the manufacture, sale, possession, use or registration of any firearm or any "dangerous weapon" or "deadly weapon," as those terms are defined under federal law, or the law of any state.

Section 21.1206. Clearance for firearms dealer employee.

(a) No person shall be employed as an employee of a firearms dealer without a written clearance from the Sheriff. An employee of a firearms dealer is required to renew the written clearance from the Sheriff annually.

(b) A person seeking to be employed by a firearms dealer shall submit fingerprints and complete a form provided by the Sheriff. A person requesting clearance under this section shall be subject to investigation under § 21.107. The Sheriff may deny the clearance based upon any of the grounds in §§ 21.108 and 21.1205. The Sheriff shall issue or deny the clearance in writing within 30 days after a completed request for clearance has been submitted. The Sheriff may suspend or revoke a person's clearance under this section on any of the grounds for which a license or permit may be suspended or revoked under § 21.112 or otherwise prohibited by law.

(c) It shall be unlawful for a firearms dealer to employ any person who does not have a current clearance from the Sheriff to be a firearms dealer employee.

Section 21.1207 No Transactions at Unauthorized Locations.

Except as provided in Penal Code §§ 16620, 17310, 26505-26588 (inclusive), a firearms dealer shall only conduct firearms transactions at the location specified in the license.

Section 21.1208 Transaction Records and Inspection.

A firearms dealer shall maintain all firearms transaction records required by federal and State law and have them available for inspection. During business hours, a firearms dealer shall allow any Sheriff's Department employee and any peace officer to inspect firearms transaction records, firearms, firearm accessories and all places where transaction records, firearms and firearm accessories are stored.

Section 21.1209 Compliance with Requirement for Secondhand Goods Dealers.

A firearms dealer licensed under this chapter who acquires a secondhand or used firearm for resale shall comply with §§ 21.701-21.706 and State law requirements for acquisition and sales of secondhand goods.

Chapter 13 Swap Meets

Section 21.1308 Prohibited transactions and notice.

It shall be unlawful for any person to sell firearms, ammunition or explosives at a swap meet. The operator of a swap meet shall post a notice in letters at least 1/16th of an inch high, in a conspicuous place, near each entrance to the swap meet stating the following in the English language: "NOTICE. It is illegal to exchange, barter, trade or sell firearms, ammunition or any explosives at a swap meet."

San Diego Code of Ordinances

Codified through Ordinance No. 10567 N.S., effective November 9, 2018.

Chapter 3 Business Regulations, Business Taxes, Permits & Licenses
Article 3 Police Regulated Business Regulations
Division 42 Regulation of Firearm Dealers

Section 33.4201 Permit Required

(a) It is unlawful for any person to engage in business as a Firearm Dealer without a Firearm Dealer permit issued by the Chief of Police.

(b) It is unlawful for any person to sell, deliver, or otherwise transfer any firearm in violation of state or federal law or without the permit required by § 33.4201.

Section 33.4202 Definitions.

For the purpose of this Division, the following words mean:

"Chief of Police" means the Chief of Police or the Chief's designated representative.

"Firearm" means any device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of any explosion or other form of combustion. A "Firearm" includes any device defined as a firearm in California Penal Code § 12002.

"Firearm Dealer" means any person who obtains a Federal Firearms Dealers License for the business of:

(a) Selling, transferring, or leasing any new or used Firearms at wholesale or retail; or

(b) advertising for sale, transfer, or lease any new or used Firearms at wholesale or retail; or

(c) offering or exposing for sale, transfer, or lease, any new or used Firearms at wholesale or retail.

Section 33.4203 Application for Permit

(a) The Chief of Police shall prescribe the application form for a Firearm Dealer permit.

(b) Any person proposing to engage in business as a Firearm Dealer within the City of San Diego shall secure the applicable federal license and shall have 30 calendar days after receipt of such federal license to apply for a City permit in compliance with the provisions of this Division.

Section 33.4204 Issuance or Denial of Permit.

Except as otherwise provided in this Code, upon completion of the background investigation of the applicant, the Chief of Police or designated representative shall issue the permit unless:

(a) The applicant has knowingly made false or misleading statements of a material fact or omitted a material fact in the application; or

(b) The operation of the Firearm Dealer business as proposed in the application for the permit will violate any applicable building, fire, health, or zoning requirement set forth in this Code; or

(c) The applicant is under 21 years of age; or

(d) The applicant has had a similar permit or license previously revoked or denied for good cause within year immediately preceding the date of the filing of the application; or

(e) The applicant has not been licensed as a Firearm Dealer as required by federal law and the State of California; or

(f) The applicant, within 5 years immediately preceding the date of filing the application has been convicted in a court of competent jurisdiction of any of the following offenses:

(1) Any offense involving the use of force or violence upon the person of another; or

(2) Any offense of theft, embezzlement, or receiving stolen property; or

(3) Any felony offense involving the sale, manufacture, possession, or use of any controlled substance as defined by the California Health and Safety Code; or

(4) Any offense in another state which, if committed in this state, would have been punishable as one of the offenses specified above and immediately preceding; or,

(g) The applicant is under indictment for, or has been convicted of, any violation of federal, state or local law relating to the manufacture, sale, transfer, lease, registration, use, or possession of any firearm or ammunition, or

(h) The applicant fails to remove the authority of any officer, agent or employee to act on behalf of the applicant in the Firearm Dealer business within 5 working days after applicant receives written notification by certified mail or personal delivery from the Chief of Police, that:

(1) any officer, employee, or agent of the applicant, is under indictment for, or has been convicted of, any violation of federal, state or local law relating to the manufacture, sale, transfer, lease, registration, use, or possession of any firearm or ammunition; or

(2) any officer, employee, or agent of the applicant, is a person in a prohibited class described in § 12021 or § 12021.1 of the California Penal Code or § 8100 or § 8103 of the Welfare and Institutions Code; or

(i) The applicant is a person in a prohibited class described in § 12021 or § 12021.1 of the California Penal Code or § 8100 or § 8103 of the Welfare and Institutions Code; or

(j) The applicant has failed to provide evidence of a possessory interest, such as the interest of an owner, tenant, lessee or sublessee, in the property where the proposed business will be conducted; or

(k) The applicant has failed to obtain a zoning use certificate required by this Code.

Section 33.4205 Permit Renewal.

A valid Firearm Dealers permit issued pursuant to the provisions of this Code may be renewed annually only upon the following terms and conditions:

(a) An application for renewal shall be completed and submitted to the Chief of Police of the City of San Diego 30 days prior to the expiration of the existing permit, unless extended to a later date by the Chief of Police.; and

(b) If an application for renewal is not filed within the time specified by § 33.4205(a), the permit shall expire 1 year after the date of its issuance or last renewal.

Section 33.4206 Right of Inspection.

Firearm Dealers shall have their places of business open to Police Department inspection during all hours of operations. Firearm Dealers shall maintain all Firearms records and documents, Firearms and storage places in a manner and place accessible for inspection by Police Department personnel.

Section 33.4207 Permit Not Transferable.

A Firearm Dealer permit may be issued only to a specific person to conduct business as a dealer at a specific location and at gun shows in accordance with California Penal Code § 12071. It is unlawful for any person to transfer a Firearm Dealer permit to another person or from one location to another without prior written approval of the Chief of Police. Any attempted transfer shall be ineffective.

Section 33.4208 Permit Restricted to One Location.

The Firearm Dealer business may be carried on only in the location designated in the permit. Only 1 Firearm Dealer permit may be issued per location.

Section 33.4209 Display of Permit Required.

The Firearm Dealer permit or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can be easily read.

Section 33.4210 Business and Security Regulations

(a) All Firearm Dealers and officers, employees or agents of the Firearm Dealers, shall comply with all provisions of California Penal Code § 12071, which include business regulations and the building specifications for Firearm security.

(b) All sellers of Firearms shall protect such Firearms from theft during business hours in the following manner:

> **(1)** All Firearms shall be in locked cabinets, a secure rack, or a storage area so that access to Firearms is controlled by the dealer or an employee, to the exclusion of all others.
>
> **(2)** The Firearm Dealer, agent, or employee shall be present when a prospective buyer or seller is handling any Firearm.

Section 33.4211 Revocation of Permit.

In addition to the grounds enumerated in § 33.0401, the Chief of Police may revoke or suspend a Firearm Dealer's permit for cause if the Chief finds any of the following:

(a) The Firearm Dealer, or any officer, employee or agent of the Firearm Dealer, is not operating in full compliance with all provisions of this Division; or

(b) The Firearm Dealer is convicted of any of the offenses enumerated in § 33.4204; or

(c) The Firearm Dealer fails to remove the authority of any officer, agent, or employee to act on behalf of the Firearm Dealer within 5 working days after the Firearm Dealer receives written notification by certified mail or personal delivery from the Chief of Police, that such officer, agent or employee has been convicted of any of the offenses enumerated in § 33.4204; or

(d) Any of the conditions listed on the permit are violated.

Section 33.4212 Provision of Trigger Locks

(a) It is unlawful for any firearm dealer to sell, give, lend or transfer ownership of any firearm without also providing with the firearm a trigger locking or similar device approved by the Chief of Police. The trigger locking or similar device shall be designed to prevent the unintentional discharge of the firearm.

The trigger locking or similar device shall be attached to the firearm prior to the completion of the sale, gift, lending or transfer transaction, and the firearm must leave the premises of the firearms dealer with the trigger locking or similar device attached. If a trigger locking or similar device cannot be attached because the firearm lacks a trigger guard, a lockable bag or box shall be used in lieu of a trigger locking or similar device. Nothing in this section shall prevent the firearms dealer from recovering the cost of the trigger locking or similar device by charging a price for the lock, either separately or as part of the price of the firearm.

(b) It is unlawful for any firearm dealer sell, give, lend or transfer ownership of any firearm, without providing with the firearm printed material, approved by the Chief of Police, that advises the user of safe firearm storage practices.

(c) In connection with any sale, gift, loan or transfer of a firearm, the firearm dealer shall obtain from the person receiving the firearm a signed acknowledgment that a trigger locking or similar device required by § 33.4212(a) of this Municipal Code, and the printed material required by § 33.4212(b), has been provided with the firearm. The acknowledgment shall be in a form approved by the Chief of Police. The firearm dealer shall retain signed acknowledgments of receipt in the same manner and to the same extent as required by State law for other firearm transaction records.

(d) A firearm dealer who has fully complied with the provisions of this section relating to trigger locking or similar devices shall not be presumed to have made any representation to the transferee regarding the safety or appropriateness of the use of the trigger locking or similar device, nor shall the firearm dealer be liable in any civil action brought against the firearm dealer, to the extent such liability would be based solely upon the act of furnishing the trigger locking or similar device to a person in compliance with this section.

(e) The requirements of § 33.4212 shall be in force and effect, and shall apply to all firearms dealers now or hereafter licensed, 90 days after the date on which the Chief of Police sends written notice to currently–licensed firearms dealers of the approved trigger locking or similar devices, printed safety material and form of acknowledgment.

(f) The provisions of this section shall not apply to temporary lending transaction in which the firearm does not leave the premises of the firearms dealer.

(g) The requirements in §§ 33.4212(a),(b), and (c) shall not apply to firearms that are curios or relics, as defined by federal law, Title 27 Code of Federal Regulations § 178.

(h) The requirements in §§ 33.4212(a), (b) and (c) shall not apply to firearms dealers when they are involved in private

Chapter 5 Public Safety, Morals & Welfare
Article 3 Firearms, Dangerous Weapons & Explosives & Hazardous Trades

Section 53.31 Assault Weapons, Nuisance, Temporary Custody

(a) The term "**assault weapon**," as used in this Section, shall include:

(1) Any semiautomatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of 20 rounds or more, with a barrel of more than 16 inches, including but not limited to the following firearms or their copies: AR 15 semiautomatic assault rifles, Uzi semiautomatic assault rifles or carbines, Ingram Mac–10 semiautomatic assault carbines, Ingram Mac–11 semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, AK–47 semiautomatic assault rifles, AKM–47 semiautomatic assault rifles, all Avtomat Kalashnikov weapons, M1–A semiautomatic assault rifles, M–14 semiautomatic assault rifles, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

(2) Any shotgun with a barrel of more than 18 inches and a folding stock or magazine capacity of more than 6 rounds;

(3) Any weapon which may be readily restored to an operable assault weapon, as defined in paragraphs 1 and 2 above; and

(4) Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined above in paragraphs 1 and 2, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under the control of the same person.

(b) As used in this Section, the term "semiautomatic" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

(c) The term "assault weapon" does not include any of the following:

(1) Any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by § 12200 of the Penal Code of the State of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of §§ 12021 and 12025 of the Penal Code of the State of California;

(2) Any of the following: weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single–shot weapons.

multiple–barrel weapons, revolving cylinder weapons, semiautomatic weapons which use exclusively Mannlicher–style clips, semiautomatic weapons manufactured prior to 1954, rim–fire weapons that employ a tubular magazine;

(3) Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5) (7) and (8) of Subsection (b) of § 12020 of the Penal Code of the State of California;

(4) Any short–barreled rifle or shotgun as defined in Subsection (c) of Penal Code § 12020; or

(5) Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(d) A sheriff, undersheriff, deputy sheriff, marshal, deputy marshal, or police officer, as defined in subdivision (a) of § 830.1, a member of the University of California Police Department, as defined in subdivision (d) of § 830.2, and a member of a California State University Police Department, as defined in subdivision (e) of § 830.2, during the performance of his or her duties within the City of San Diego may take temporary custody of any assault weapon in plain sight or discovered pursuant to a consensual search as necessary for the protection of the peace officer or other persons of the City of San Diego.

(e) The provisions of subsection (d) shall not apply to assault weapons in the possession of any person specifically authorized to possess concealed or loaded firearms within the City limits of San Diego pursuant to the Dangerous Weapons' Control Law, California Penal Code § 1200 et seq.

(f) Upon taking custody of an assault weapon, the officer shall give the owner or person who possessed the assault weapon a receipt. The receipt shall describe the assault weapon and list any identification or serial number on the assault weapon. The receipt shall indicate where the firearm can be recovered and the date after which the owner or possessor can recover the assault weapon. No assault weapon shall be held less than 48 hours. If an assault weapon is not retained for use as evidence related to criminal charges or is not retained because it was illegally possessed, the assault weapon shall be made available to the owner or person who was in lawful possession 48 hours after the seizure or as soon thereafter as possible, but no later than 72 hours after the seizure.

(g) Any assault weapon which has been taken into custody which has been stolen shall be restored to the lawful owner, as soon as its use for evidence has been served, upon his or her identification of the firearm and proof of ownership.

(h) Any assault weapon taken into custody and held by a police, university police, or sheriff's department or by a marshal's office, for longer than 12 months and not recovered by the owner or person who has lawful possession at the time it was taken into custody, shall be considered a nuisance and sold or destroyed as provided in subdivision (c) of § 12028.

San Dimas Code of Ordinances
Codified through Ordinance No. 1263 and the September 2018 code supplement.

Title 9 Public Peace, Morals and Welfare
VIII Weapons
Chapter 9.52 Minors and Weapons

Section 9.52.010 Weapons—Sale, gift prohibited.

Except as otherwise provided in this chapter and Chapters 9.48 and 9.56, no person shall sell, give, lend or in any way furnish, or cause or permit to be sold, given, lent or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile.

Section 9.52.020 Ammunition—Sale, gift prohibited.

Except as otherwise provided in this chapter and Chapter 9.48 and 9.56, no person shall sell, give, lend or in any way furnish, or cause or permit to be sold, given, lent or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.52.030 Weapons—Use, custody prohibited.

Except as otherwise provided in this chapter and Chapters 9.48 and 9.56, no person under the age of eighteen years shall fire, discharge, shoot or operate, or assist or participate in the firing, discharging, shooting or operating, or have in his possession, care, custody or control, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot or device designed or intended to discharge or capable of discharging any dangerous missile or any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 9.52.040 Exemptions.

Nothing in this chapter or Chapters 9.48 or 9.56 shall be deemed or construed to prohibit the selling, giving, lending or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.52.010 and 9.52.020; nor to prohibit any such person under the age of eighteen years from having in his possession, care, custody or control any article mentioned in Section 9.52.030, in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting or operating any article mentioned in Section 9.52.030 when such person is accompanied by, and under the direct care and control of some adult person and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed in the city, or is lawfully engaged in shooting at any inanimate target or trapshooting device while accompanied by, and under the direct care and control of some such adult person.

San Fernando Code of Ordinances

Codified through Ordinance No. 1672, adopted February 20, 2018. (Supp. No. 31)

Chapter 50 Offenses and Miscellaneous Provisions
Article VI Weapons

Section 50-257 Sale to minors.

(a) No person shall sell, exchange, give or loan to any person under 18 years of age any slingshot; any snap-blade or spring-blade knife; any gun, revolver, pistol or firearm of any description; any spring gun or airgun or other device designed or intended to discharge any pellets, BB shot or other deadly or dangerous missile; or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed or intended for use in any weapons enumerated in this subsection.

(b) This section shall not be construed to prohibit any person from selling, exchanging, giving or loaning to any such minor any of the weapons described in subsection 50-256(a) or the ammunition or projectile therefor, where such person receives and keeps on file written permission to do so from one of the parents or legal guardian of such minor on the form and in the manner prescribed in this subsection for the purpose of enabling the minor to engage in shooting or discharging weapons as provided in subsection 50-256(a) or for the purpose of engaging in legitimate sport or recreation outside the city. The written permission referred to in this subsection shall be on a form prescribed by the chief of police, and the form shall be filled in and executed by one of the parents or the legal guardian of such minor and such minor at the police department in the presence of a police officer.

Section 50-258 Possession by minors.

(a) No person under 18 years of age shall have in his possession, care, custody or control any article or thing mentioned in section 50-257.

(b) This section shall not be construed to apply to a minor under the age of 18 years where such minor has in his possession the written permission therefor from one of such minor's parents or such minor's legal guardian on the form prescribed in section 50-257 when engaged in shooting or discharging weapons as provided in subsection 50-256(a) or when traveling to and from any of the places mentioned in subsections 50-256(c)(1), (2) and (3) or when engaged in legitimate sport or recreation outside the city.

Section 50-259 Sale of firearm ammunition.

(a) For the purpose of this section, the term "firearm ammunition" shall include any ammunition for use in pistols, revolvers, rifles, shotguns, automatic weapons, or any other device designed to be used as a weapon from which a projectile is expelled by the force of an explosion or some other form of combustion.

(b) Except as provided in subsections (c) and (d) of this section, no person, including retail gun dealers, shall sell, give, lend or transfer ownership or offer for sale any firearm ammunition during the seven calendar days preceding and including July 4 and January 1 of each calendar year.

(c) Nothing in this section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or to a retail gun dealer or of ammunition requested which meets the parameters of Penal Code 12324 relating to disarmed ammunition.

(d) Nothing in this section shall prohibit sale to, purchase by or acquisition of firearm ammunition to any person exempted from such restrictions by state law as such persons are described in Penal Code 12302 or 12322.

(e) This section shall have no application to the prohibitions on the sale of firearm ammunition established by Penal Code 12301 et seq. and 12320 et seq. or any other prohibitions established by the state statutes.

(f) Any person found in violation of this section shall be guilty of a misdemeanor offense.

Section 50-260 Security requirements for firearms dealers.

(a) As used in this section, the term "**licensee**" has the same meaning as used in Penal Code 12071(a)(1), as amended.

(b) Any time the licensee is not open for business, the licensee shall store all firearms kept in the licensed place of business using one of the following methods as to each particular firearm:

(1) Store the firearm in a secure facility that is a part of or that constitutes the licensee's business premises.

(2) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter, and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(3) Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

(c) The chief of police or the chief's designee shall have the authority to enter, at any time of the day or night with 24-hour notification, any licensed place of business, on an annual basis or as otherwise determined to be necessary by the chief of police, to inspect the licensee's premises for compliance with the requirements set forth in this section and for compliance with all other federal and state licensing requirements.

Chapter 66 Secondhand Goods
Article IV Swap Meets

Section 66-142 Prohibited sales, trades, exchanges or bartering.

No person at any swap meet, whether he is the operator or an exhibitor or any other person or entity, shall sell, exchange, display, offer for sale or exchange or barter at any swap meet any of the following items of personal property:

(2) Any handgun, rifle, shotgun or other type of firearm by whatever name, or any deadly weapon.

San Francisco Police Code
Codified through Ordinance No. 246-18, approved October 26, 2018.

Article 9 Miscellaneous Conduct Regulations

Section 613 Regulating Sale of Firearms.

It shall be unlawful for any person, firm, corporation or dealer engaging in the business of selling, leasing or otherwise transferring any firearm, firearms ammunition, or firearms ammunition component to sell, lease or otherwise transfer any firearm, firearms ammunition or firearms ammunition component without first having obtained a license from the San Francisco Police Department. The Department shall make available application forms requiring applicants to provide the information set forth in § 613.2, and shall collect a nonrefundable application fee from each applicant.

The Chief of Police shall recommend to the Board of Supervisors, on or before April 1, 1994, a fee which shall be sufficient to recover all costs associated with regulating the sale of firearms under this Article, including but not limited to, processing applications, monitoring licensees, and enforcing the provisions of this Article. The fee shall be set by the Board of Supervisors.

Section 613.1 Definitions.

(a)"Firearm" shall mean any device, designed to be used as a weapon or modified to be used as a weapon that expels a projectile by the force of an explosion or other form of combustion.

(b) "Firearm ammunition" shall mean any cartridge or encasement containing a bullet or projectile, propellent or explosive charge, and a primer which is used in the operation of a firearm.

(c) "Firearm ammunition component" shall mean any cartridge or encasement, bullet or projectile, primer or propellent or explosive material used in the manufacture of ammunition.

(d) "Firearm capable of being concealed upon the person" shall mean any such firearm as defined in California Penal Code § 12001(a).

(e) "Transfer" shall include, but shall not be limited to, the redemption of a pawned or pledged firearm by any individual including the individual who pawned or pledged the firearm.

(f) "Ultracompact firearm" shall mean any pistol, revolver, handgun or other firearm that is 6.75 inches or less in length or 4.5 inches or less in height, measured with the magazine detached, but shall not include any such firearm that is an unsafe handgun defined by § 12126 of the California Penal Code.

Section 613.2 Application Form and Background Check Requirements.

(a) The application for a license to engage in the business of selling, leasing or otherwise transferring any firearm, firearms ammunition, or firearms ammunition component shall be signed under penalty of perjury and shall set forth:

(1) The name, age and address of the applicant, as well as the name, age and address of all persons who will have access to or control of workplace firearms, firearm ammunition, or firearm ammunition components, including but not limited to, the applicant's employees, agents and or supervisors, if any;

(2) The address of the location for which the license is required, together with the business name of such location, if any;

(3) All convictions of the applicant for any of the offenses listed in § 613.3(e);

(4) All information relating to licenses or permits relating to firearms or other weapons sought by the applicant from other jurisdictions, including, but not limited to date of application and whether each such application resulted in issuance of a license;

(5) All information relating to revocations of licenses or permits relating to firearms, including but not limited to date and circumstances of revocation;

(6) Applicant's agreement to indemnify, defend, and hold harmless the City, its officers, agents, and employees, from and against any and all claims, losses, costs, damages and liabilities of any kind, arising in any manner out of the applicant's negligence or intentional or wilful misconduct;

(7) Applicant's understanding that the City shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections and to investigate and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, provisions of this Article, and all other applicable federal, state, and local laws.

(b) Each application must be accompanied by evidence that the applicant has satisfied the insurance requirements stated in § 613.13 of this Article.

(c) All persons listed on the application form as having access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components shall obtain a certificate of eligibility under Penal Code § 12071 from the state Department of Justice. A copy of the certificate of eligibility for each such person shall be submitted with the application.

(d) The Chief of Police shall conduct a criminal history background check on the applicant and on all other persons listed on the application form as having access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components, including but not limited to, the applicant's employees, agents and/or supervisors, if any, and shall determine whether such persons have been convicted of any offenses described in subsection (e) of § 613.3, or are among the persons described in subsections (f) or (g) of § 613.3. Where the Chief of Police determines that 1 or more of the applicants, employees, agents or supervisors have been convicted of an offense described in subsection (e) of § 613.3, or are among the persons described in subsections (f) or (g) of § 613.3, the applicant shall have 21 days from the mailing of written notification from the Chief of Police to provide evidence in a form acceptable to the Chief of Police that such persons have been removed or reassigned so that they no longer have access to or control of workplace firearms, firearm ammunition, or firearm ammunition components. In the event that an applicant fails to comply with this subsection, the Chief of Police shall deny the license.

(e) As used in this Section, the term "**applicant**" when the applicant is other than a natural person shall include any officer, director, employee or agent of the applicant who has access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components.

Section 613.3 Denial of License.

The Chief of Police shall deny the issuance or renewal of a license when any of the following conditions exist:

(a) The applicant is under the age of 21 years.

(b) The applicant is not licensed as required by all applicable federal, State and local laws.

(c) The applicant has had a firearms license previously revoked or denied for good cause within the immediately preceding 2 years.

(d) The applicant has made a false or misleading statement of a material fact, or omission of a material fact, in the application for a license. If a license is denied on this ground, the applicant shall be prohibited from reapplying for a license for a period of 2 years.

(e) The applicant has been convicted of:

(1) Any offense so as to disqualify the applicant from owning or possessing a firearm under applicable federal, State, and local laws, including but not limited to the offenses listed in California Penal Code § 12021;

(2) Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon;

(3) Any offense involving the use of force or violence upon the person of another;

(4) Any offense involving theft, fraud, dishonesty, or deceit, including but not limited to any of the offenses listed in Title 7 (Crimes Against Public Justice) and title 13, Chapters 4 (Forgery and Counterfeiting), 5 (Larceny), 6 (Embezzlement), 7 (Extortion), 8 (False Personation), 13 and 14 (Fraud) of the California Penal Code;

(5) Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read.

(f) The applicant is within the classes of persons defined in California Welfare and Institutions Code §§ 8100 or 8103.

(g) The applicant is (1) currently, or has been within the past 2 years, an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read; or (2) an excessive user of alcohol, to the extent that such use would impair his or her fitness to be a dealer in firearms.

(h) The operation of the business as proposed would not comply with all applicable federal, State, and local laws.

(i) The applicant, or an officer, employee, or agent thereof, proposes to operate in the following locations:

(1) Within any RH, RM, RC, NC or RED zoning district, or within 1,000 feet of the exterior limits of any such district;

(2) Within 1,000 feet of a public or private day care center or day care home, or within 1,000 feet of any elementary, junior high or high school whether public or private;

(3) On or within 1,500 feet of the exterior limits of any other premises used as a place of business by a dealer in firearms;

(4) Within 1,000 feet of a community center, church, neighborhood center, recreational center, whether public or private, where regularly scheduled activities are conducted for people under 18 years of age.

(j) The applicant, or an officer, employee or agent thereof does not have, and/or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted.

(k) Any other ground for denial exists under any applicable provision of federal, State or local law.

(l) The applicant fails to comply with the requirements of subsections (c) or (d) of § 613.2.

(m) As used in this Section, the term "**applicant**" when the applicant is other than a natural person shall include any officer, director, employee or agent of the applicant who has access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components.

Section 613.4 Referral of Application to Other Departments.

Upon receiving an application that is not rejected for one of the reasons stated in § 613.3, the Police Department shall refer the application to the Bureau of Building Inspection, the Fire Department, and the City Planning Department, which departments shall inspect the premises to be used for the sale of concealable firearms and shall report to the Police Department concerning compliance with the codes they administer, and compliance with this Article.

Section 613.5 Public Hearing before Issuance of License.

When an application is filed for a license under this Article, and the application is not denied for one of the reasons stated in § 613.3, the Police Department shall fix a time and place for a public hearing regarding the application. Not less than 10 days before the date of such hearing, the Police Department shall cause to be posted a notice of such hearing in a conspicuous place on the property in which the proposed business is to be operated and the applicant shall maintain said notice as posted until the day following the hearing.

Section 613.6 Form of License.

All licenses issued pursuant to this Article shall be in the form prescribed by the Attorney General of the State of California.

Section 613.7 Duration and Renewal of Licenses.

All licenses issued pursuant to this Article shall expire 1 year after the date of issuance; provided, however, that such licenses may be renewed by the Chief of Police for additional periods of 1 year upon the approval of an application for renewal by the Chief of Police and payment of the renewal fee. Such renewal application shall set forth the information listed in § 613.2 and must be received by the Chief of Police, in completed form, no later than 45 days prior to the expiration of the current license.

Section 613.8 Nonassignability of License.

The assignment or attempt to assign any license issued pursuant to this Article is unlawful and any such assignment or attempt to assign a license shall render the license null and void.

Section 613.9 Security.

In order to discourage the theft of firearms stored on the premises of a firearms dealer, each business licensed under this Article must adhere to security measures as required by the Chief of Police. Security measures shall include but not be limited to:

(a) Provision of secure locks, windows and doors, adequate lighting, and alarms as specified by the Chief of Police;

(b) Storage of all firearms on the premises out of the reach of customers in secure, locked facilities, so that access to firearms shall be controlled by the dealer or employees of the dealer, to the exclusion of all others.

Section 613.9.5 Findings.

1. "Enhanced-lethality ammunition" means the ammunition that licensees may not sell, lease or otherwise transfer under Police Code Sec. 613.10(g).

Section 613.10 License, Conditions.

(a) The business shall be carried on only in the building located at the street address shown on the license, except as otherwise authorized under § 12071(b)(1) of the California Penal Code.

(b) The licensee shall comply with §§ 12073, 12074, 12076, 12077 and 12082 of the California Penal Code, to the extent that the provisions remain in effect.

(c) The licensee shall not deliver any pistol or revolver to a purchaser earlier than 10 days after the application for the purchase, lease or transfer, unless otherwise provided by State or federal law.

(d) The licensee shall not deliver any firearm to a purchaser, lessee or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container.

(e) The licensee shall not deliver any firearm, firearm ammunition, or firearm ammunition component to a purchaser, lessee or other transferee unless the purchaser, lessee or other transferee presents clear evidence of his or her identity and age to the seller. As used in this Section, "clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a State identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

(f) The licensee shall not display in any part of the premises where it can be readily seen from outside the premises, any firearm, firearm ammunition or imitation thereof, or placard advertising the sale or other transfer thereof, other than a sign identifying the name of the business.

(g) The licensee shall not sell, lease or otherwise transfer to any person any ammunition that:

(1) Serves no sporting purpose;

(2) Is designed to expand upon impact and utilize the jacket, shot or materials embedded within the jacket or shot to project or disperse barbs or other objects that are intended to increase the damage to a human body or other target (including, but not limited to, Winchester Black Talon, Speer Gold Dot, Federal Hydra-Shok, Hornady XTP, Eldorado Starfire, Hollow Point Ammunition and Remington Golden Sabre ammunition; or

(3) Is designed to fragment upon impact (including, but not limited to, Black Rhino bullets and Glaser Safety Slugs).

This subsection does not apply to conventional hollow-point ammunition with a solid lead core when the purchase is made for official law enforcement purposes and the purchaser is authorized to make such a purchase by the director of a public law enforcement agency such as the Chief of the San Francisco Police Department or the Sheriff of the City and County of San Francisco.

(h) The licensee shall post within the licensee's premises a notice stating the following:

"THE CALIFORNIA PENAL CODE PROHIBITS THE SALE OF FIREARMS OR FIREARMS AMMUNITION TO PERSONS UNDER THE AGE OF 18, AND FURTHER GENERALLY PROHIBITS THE SALE OF A PISTOL, REVOLVER, OR FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON TO ANY PERSON UNDER THE AGE OF 21."

The posted notice shall be in a conspicuous location, shall be in 36 point type block letters in black ink on a white background, and shall be located so that the notice can easily and clearly be seen by all prospective purchasers of firearms and firearm ammunition.

(i) The licensee shall not sell, lease or otherwise transfer any ultracompact firearm except as authorized by § 613.10-2 or any 50 caliber firearm or 50 caliber cartridge except as authorized by § 613.10-1.

(j) Any license issued pursuant to this Article shall be subject to such additional conditions as the Chief of Police finds are reasonably related to the purpose of this Article.

(k) The licensee shall comply with the requirements of § 613.10-3 and shall, in addition, post the appropriate notice or notices, as specified below, in a conspicuous location at the entrance of the licensee's premises (or at the entrance to the separate room or, enclosure pursuant to § 613.10-3(c)). Such notice shall be in 36 point type block letters in black ink on a white background.

(1) Licensees that sell, lease or otherwise transfer firearms, other than firearms capable of being concealed on the person, shall post a notice at the entrance to the premises (or at the entrance to the separate room or enclosure pursuant to § 613.10-3(c)) stating the following:

"THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS PROHIBIT ENTRY BY PERSONS UNDER AGE 18, AND FURTHER PROHIBITS ENTRY BY (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED FROM POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND TRIAL."

(2) Licensees that sell, lease or otherwise transfer firearms capable of being concealed on the person shall post a notice at the entrance to the premises (or at the entrance to the separate room or enclosure containing such firearms pursuant to § 613.10-3(c)) stating the following:

"THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS PROHIBIT ENTRY BY PERSONS UNDER AGE 21, AND FURTHER PROHIBITS ENTRY BY (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED FROM POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND TRIAL."

(3) Licensees that sell, lease or otherwise transfer firearms capable of being concealed on the person, but who keep such firearms in a separate room or enclosure in accordance with § 613.10-3(c) shall post the notice required by paragraph (1) at the entrance to the premises or separate room or enclosure containing firearms that are not capable of being concealed on the person, and shall post the notice required by paragraph (2) at the entrance to the separate room or enclosure containing firearms capable of being concealed on the person.

(l) The licensee shall notify the Chief of Police of the name, age and address of, and submit a certificate of eligibility under Penal Code § 12071 from the State Department of Justice for, any person not listed on the licensee's application under § 613.2(a)(1) who will be given access to, or control of, workplace firearms, firearm ammunition, or firearm ammunition components. The licensee shall submit the required information and certificate within 10 days of such person being employed or otherwise being given access to, or control over workplace firearms, firearm ammunition, or firearm ammunition components.

(m) Within the first 5 business days of April and October of each year, licensees shall cause a physical inventory to be taken that includes a listing of each firearm held by the licensee by make, model, and serial number, together with a listing of each firearm the licensee has sold since the last inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is required to be reported pursuant to Penal Code § 12071(b)(13). Licensees shall maintain a copy of the inventory on the premises for which the license was issued. Immediately upon completion of the inventory, licensees shall forward a copy of the inventory to the address specified by the Chief of Police, by such means as specified by the Chief of Police. With each copy of the inventory, licensees shall include an affidavit signed by the licensee (or, if the licensee is not a natural person, by an officer, general manager, or other principal of the licensee) stating under penalty of perjury that within the first 5 business days of that April or October, as the case may be, the signer personally confirmed the presence of the firearms reported on the inventory.

(n) At or prior to the time of delivering a firearm, licensees shall provide the person buying, leasing, or receiving the loan of the firearm with a copy of a notice, to be prepared by the Chief of Police, advising the reader of local firearms laws, including safe gun storage requirements and the requirement to report a lost or stolen firearm. The notice may also include summary information on relevant State firearms laws, including the requirement that the sale, loan or other transfer of a firearm to a non-licensed person be completed through a licensed firearms dealer.

(o) Licensee shall ensure that its business location is monitored by a video surveillance system that meets the following requirements:

(1) The system shall include cameras, monitors, digital video recorders, and cabling, if necessary to meet any of the other requirements listed below.

(2) The number and location of the cameras are subject to the approval of the Chief of Police or his or her designee. The cameras shall be sufficient in number and location to monitor all places where firearms or ammunition are stored, handled, sold, transferred, or carried, including, but not limited to, counters, safes, vaults, cabinets, shelves, cases, and entryways. The video surveillance system shall operate continuously, without interruption, whenever the licensee is open for business. Whenever the licensee is not open for business, the system shall be triggered by a motion detector and begin recording immediately upon detection of any motion within the monitored area.

(3) The sale or transfer of a firearm or ammunition shall be recorded by the video surveillance system in such a way that the facial features of the purchaser or transferee are clearly visible.

(4) When recording, the video surveillance system shall record continuously and store color images of the monitored area at a frequency of not less than 15 frames per second. The system shall produce retrievable and identifiable images and video recordings on media approved by the Chief of Police or his or her designee that can be enlarged through projection or other means, and can be made a permanent record for use in a criminal investigation. The system shall be capable of delineating on playback the activity and physical features of persons or areas where guns and ammunition are stored and handled within the premises.

(5) The stored images shall be maintained on the business premises of the licensee tor a period not less than 1 year from the date of recordation and shall be made available to federal, state, or local law enforcement agencies upon service of a search warrant. Law enforcement agencies may only use images thus obtained tor legitimate law enforcement purposes.

(6) The video surveillance system shall be maintained in proper working order at all times. If the system becomes inoperable, it must be repaired or replaced within 15 calendar days. The licensee shall inspect the system at least weekly to ensure that it is operational and images are being recorded and retained as required. The licensee shall notify the Chief of Police or his or her designee that the system has become inoperable as soon as practicable after discovering inoperability. The licensee shall allow the Chief of Police or his or her designee to inspect the system to ensure operability.

(7) The licensee shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height: THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

Section 613.10-1 Sale or Transfer of 50 Caliber Firearms and Cartridges Restricted.

(c) Definitions.

(1) As used in this section, the term "**50 caliber firearm**" shall mean any firearm, as defined in § 613.1 of this Article, capable of firing a center-fire 50 caliber cartridge.

(2) As used in this section, the term "**50 caliber cartridge**" shall mean a firearm ammunition cartridge in 50 caliber, either by designation or actual measurement, or any metric equivalent, including but not limited to a .50 BMG cartridge, that is capable of being fired from a centerfire rifle or a handgun. The term "50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition.

(3) As used in this section, the term "**rifle**" shall mean any firearm that is designed or redesigned, made or remade, and intended to be fired from the shoulder, and which is designed or redesigned, made or remade to use the energy in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger. The term "rifle" shall not include any shotgun.

(4) As used in this section, the term "**handgun**" shall mean any firearm with a barrel less than 16 inches in length. The term "handgun" shall include any pistol, revolver, or concealable firearm as such terms are defined in the California Penal Code.

(d) Sale or Transfer of 50 Caliber Firearms and Cartridges Restricted. No person shall sell, give, transfer, offer for sale or display for sale any 50 caliber firearm or 50 caliber cartridge except as authorized by paragraph (e) of this Section.

(e) Exceptions.

(1) The provisions of Subsection (d) of this Section shall not apply to:

(A) the sale or other transfer of a 50 caliber firearm or 50 caliber cartridge which is prohibited under state law, including, but not limited to, the sale or transfer of any assault weapon as defined in the California Penal Code;

(B) the sale or other transfer of a 50 caliber firearm which is an antique firearm, as defined in paragraph (16) of subsection (a) of § 921 of Title 18 of the United States Code;

(C) the delivery of a 50 caliber firearm to a licensed gunsmith, as defined in California Penal Code § 12001(r), or to a person licensed pursuant to California Penal Code § 12071, for purposes of service or repair, or to the return of the firearm to its owner by the gunsmith or the licensee following the completion of service or repairs;

(D) the return of a 50 caliber firearm to its owner by a person licensed pursuant to this Article where the firearm was initially delivered to the licensee for the purpose of a consignment sale or as collateral for a pawnbroker loan; or

(E) the offer for sale or display in any periodical, solicitation by mail or use of the internet of a 50 caliber firearm or 50 caliber cartridge by any person or entity where the seller or offeror is located outside of the City and County of San Francisco.

(F) the loan of an unloaded 50 caliber firearm to a person for use solely as a prop in a motion picture, television, video, theatrical or other entertainment production or event, provided that such person is in compliance with § 12081 of the California Penal Code.

(2) The provisions of Subsection (d) of this Section shall not apply to the sale or other transfer of a 50 caliber firearm or 50 caliber cartridge where the purchaser or transferee is any of the following:

(A) A law enforcement agency;

(B) An agency duly authorized to perform law enforcement duties;

(C) A state or local correctional facility;

(D) A federal law enforcement officer, provided such law enforcement officer is authorized to acquire a 50 caliber firearm and/or 50 caliber cartridges and does so while acting within the course and scope of his or her employment:

(E) A person described in §§ 12302 or 12322(a) of the California Penal Code; provided such person is authorized to acquire a 50 caliber firearm and/or 50 caliber cartridges and does so while acting within the course and scope of his or her employment;

(F) A person who is properly identified as a full-time paid peace officer as defined in §§ 830.1, 830.2, 830.4, or 830.5 of the California Penal Code, provided such peace officer is authorized to acquire a 50 caliber firearm and/or 50 caliber cartridge and does so while acting within the course and scope of his or her employment;

(G) A firearms dealer who has been issued a Federal Firearms License, and who is in compliance with the requirements of § 12071 of the California Penal Code,

(H) A person or entity conducting a transaction described in subdivision (k) of § 12078 of the California Penal Code:

(I) A person acquiring a 50 caliber firearm or 50 caliber cartridge by bequest or intestate succession, or otherwise by operation of law, provided that such firearms or cartridges are transferred to a law enforcement agency or to a person licensed pursuant to California Penal Code § 12071 within 12 months from the date that the person obtains title;

(J) A non-profit entity that is authorized to destroy firearms, and which has agreed to destroy the firearm being transferred;

(K) A federal, state, or local historical society, museum, or institutional collection that is open to the public; provided that the 50 caliber firearm is used for display purposes, is unloaded, and is secured from unauthorized uses.

(f) Penalties.

(1) Violation of this Section shall be punishable as a misdemeanor. In addition, in the case of a violation of this section by a firearms dealer licensed under this Article, each violation of this Section shall constitute grounds for suspension or revocation of the licensee's firearms dealer license.

(2) Each transaction in violation of this Section shall be deemed a distinct and separate violation.

(g) Sunset Provision. If the State of California enacts legislation prohibiting or restricting the sale or transfer of 50 caliber rifles, 50 caliber handguns, or 50 caliber cartridges covered by this section, the requirements of this Section shall be suspended as of the date such legislation goes into effect with respect to any requirements of this Section that apply to the firearms or cartridges prohibited or restricted by state law. If the State of California subsequently repeals any such legislation, the suspension shall expire by operation of law and the previously suspended provisions shall become operative.

Section 613.10-2 Sale of ultracompact firearms restricted.

(c) Sale of Ultracompact Firearms Restricted. No person licensed pursuant to this Article shall sell, lease or otherwise transfer any ultracompact firearm except as authorized by paragraph (d) of this Section. Nothing in this section shall preclude any person licensed pursuant to this Article from processing firearms transactions between unlicensed parties pursuant to subdivision (d) of § 12072 of the Penal Code of the State of California.

(d) Exceptions. The requirements of this Section shall not apply to the sale, lease or other transfer of an ultracompact firearm in the following circumstances:

(1) To any law enforcement agency;

(2) To any agency duly authorized to perform law enforcement duties;

(3) To any state or local correctional facility;

(4) To a federal law enforcement officer, provided such law enforcement officer is authorized to acquire an ultracompact firearm and does so while acting within the course and scope of his or her employment;

(5) To a private security company licensed to do business in the State of California;

(6) To a person described in §§ 12302 or 12322(a) of the California Penal Code, provided such person is authorized to acquire an ultracompact firearm and does so while acting within the course and scope of his or her employment;

(7) To any person who is properly identified as a full-time paid peace officer, as defined in §§ 830.1, 830.2, 830.4, or 830.5 of the California Penal Code, provided such peace officer is authorized to acquire an ultracompact firearm and does so while acting within the course and scope of his or her employment.

(8) To the sale, lease or other transfer of any antique firearm, as defined in paragraph (16) of subsection (a) of § 921 of Title 18 of the United States Code.

(9) To the loan of an ultracompact firearm to a person for use solely as a prop in a motion picture, television, or video, theatrical or other entertainment production or event, provided that such person is in compliance with § 12081 of the California Penal Code;

(10) To any person or entity conducting a transaction that is exempt from the provisions of subdivision (d) of § 12072 of the California Penal Code;

(11) To any person or entity conducting a transaction described in subdivision (k) of § 12078 of the California Penal Code;

(12) To a firearms dealer who has been issued a Federal Firearms License, and who is in compliance with the requirements of § 12071 of the California Penal Code;

(13) To any person or entity acquiring an ultracompact firearm by bequest, intestate succession or otherwise by operation of law;

(14) To a non-profit entity that is authorized to destroy firearms, and which has agreed to destroy the firearm being transferred

(15) To a federal, state, or local historical society, museum, or institutional collection that is open to the public, provided that the ultracompact firearm is used for display purposes, is unloaded, and is secured from unauthorized use;

(16) To the delivery of an ultracompact firearm to a licensed gunsmith, as defined in California Penal Code § 12001(r), or to a person licensed pursuant to California Penal Code § 12071, for purposes of service or repair, or to the return of the firearm to its owner by the gunsmith or by licensee following the completion of service or repairs;

(17) To the return of an ultracompact firearm to its owner by a person licensed pursuant to this Article where the firearm was initially delivered to the licensee for the purpose of a consignment sale or as collateral for a pawnbroker loan.

(e) Penalties.

(1) Violation of this section shall be punishable as a misdemeanor. In addition, each violation of this Section shall constitute grounds for suspension or revocation of the licensee's firearms dealer license under this Article.

(2) Each transaction in violation of this Section shall be deemed a distinct and separate violation.

Section 613.10-3 Persons prohibited from purchasing firearms not permitted on licensees' premises.

(a) No person who is prohibited from possessing or purchasing firearms pursuant to California Penal Code §§ 12021 or 12021.1 or Subsections (a), (b), (c) or (d) of California Welfare and Institutions Code § 8103 shall enter into any place of

business that is licensed pursuant to this Article to engage in the business of selling, leasing or otherwise transferring firearms and which displays the notices required by § 613.10(k), except in accordance with paragraph (c) of this Section.

(b)

(1) No person licensed pursuant to this Article to sell, lease or otherwise transfer firearms shall permit the entry onto the premises that are the subject of the license by any person who the licensee knows or has reason to know is prohibited from possessing or purchasing firearms pursuant to California Penal Code §§ 12021 or 12021.1, or Subsections (a), (b), (c) or (d), of California Welfare and Institutions Code § 8103, except in accordance with paragraph (c) of this Section.

(2) No person licensed pursuant to this Article to sell, lease or otherwise transfer firearms shall permit the entry onto the premises that are the subject of the license by any person under 18 years of age except in accordance with paragraph (c) of this section. No person licensed pursuant to this Article to sell, lease or otherwise transfer firearms and who keeps or displays for sale, lease or other transfer firearms capable of being concealed on the person shall permit the entry onto the premises that are the subject of the license by any person under 21 years of age, except in accordance with paragraph (c) of this section.

(3) The licensee and any of his or her agents, employees or other persons acting under the licensee's authority shall be responsible for requiring clear evidence of age and identity of persons to prevent the entry of persons not permitted to purchase a firearm under state law by reason of age. Clear evidence of age and identity includes, but is not limited to, a motor vehicle operator's license, a State identification card, an armed forces identification card, or an employment identification card which contains the bearer's signature, photograph, and age, or any similar documentation which provides reasonable assurance of the identity and age of the individual.

(c) Exceptions.

(1) It shall not be a violation of this section for any person who is otherwise prohibited pursuant to subsection (a) from entering or being present on the premises to enter or be present on the premises if the firearms and related accessories (including, but not limited to, ammunition, ammunition clips and holsters) are kept or displayed within a separate room or enclosure that separates such firearms and related accessories from other merchandise, and such persons are excluded from the separate room or enclosure.

(2) It shall not be a violation of this section for any person who the licensee is otherwise required to keep from entering or being present on the premises pursuant to subsection (b) to enter or be present on the premises if the firearms and related accessories (including, but not limited to ammunition, ammunition clips and holsters) are kept or displayed within a separate room or enclosure that separates such firearms and related accessories from other merchandise, and such persons are excluded from the separate room or enclosure. Where a licensee keeps or displays weapons capable of being concealed on the person in a separate roam or enclosure that separates such firearms and related accessories, (including, but not limited to, ammunition, ammunition clips and holsters) from other merchandise (including other firearms), it shall not be a violation of this section for persons at least 18 years old but less than 21 years old to enter or be present on the premises if such persons are excluded from the separate room or enclosure containing firearms capable of being concealed on the person.

(d) Penalty for violation.

(1) Any person who is prohibited from possessing or purchasing firearms pursuant to California Penal Code §§ 12021 or 12021.1 or Subsections (a), (b), (c) or (d) of California Welfare and Institutions Code § 8103 and who knowingly enters into any place of business that is licensed pursuant to this Article to engage in the business of selling, leasing or otherwise transferring firearms in violation of subsection (a) shall be guilty of a misdemeanor.

(2) Any licensee or other person acting under the authority of a licensee, including, but not limited to, employees or agents of a licensee, who knowingly allows a person to enter the licensee's premises in violation of this section shall be guilty of a misdemeanor.

Section 613.11 License – Grounds for Revocation.

In addition to any other provisions of this Article, any circumstances constituting grounds for denial of a license shall also constitute grounds for revocation of a license.

Section 613.12 Hearing on License Denial or Revocation.

(a) Any person whose application for a license under this Article has been denied, or whose license has been revoked pursuant to the provisions of this Article, shall have the right to a hearing before the Chief of Police or his or her designee prior to final denial or prior to revocation.

(b) The Chief of Police shall give the applicant or licensee written notice of the intent to deny the application or to revoke the license. The notice shall set forth the ground or grounds for the Chief of Police's intent to deny the application or to revoke the license, and shall inform the applicant or licensee that he or she has 10 days from the date of mailing of the

notice to file a written request for a hearing. The application may be denied or the license revoked if a written hearing request is not received within the 10-day period.

(c) If the applicant or licensee files a timely hearing request, the Chief of Police shall set a time and place for the hearing. All parties involved shall have the right to (1) offer testimonial, documentary and tangible evidence bearing on the issues; (2) be represented by counsel; and (3) confront and cross examine any witnesses against them. If the hearing is before a designee of the Chief of Police, the designee shall make a written recommendation following the hearing regarding whether an application should be denied or a license revoked. The decision of the Chief of Police whether to deny the application or revoke the license shall be appealable to the Board of Appeals, at which proceeding the Chief shall have the burden of proof to justify his decision.

Section 613.13 License – Liability Insurance.

No license shall be issued or reissued pursuant to this Article unless there is in full force and effect a policy of insurance in such form as the City Attorney and the City's Risk Manager deem proper, executed by an insurance company approved by the City's Risk Manager, whereby the applicant or licensee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer or lease, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, of any firearm, firearm ammunition or firearm ammunition component. The minimum liability limits shall not be less than $1,000,000 for damage to or destruction of property in any one incident, and $1,000,000 for the death or injury to any 1 person; provided, however, that additional amounts may be required by the City Attorney or City's Risk Manager if deemed necessary to protect the interests of the City and its residents.

Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, address in care of the Chief of Police, 850 Bryant Street, San Francisco, California, 94103, at 30 days immediately prior to the time such cancellation becomes effective. Further, such policy of insurance shall name the City, its officers, agents, and employees as additional insureds.

In addition, applicants and licensees shall agree in writing that they shall indemnity, defend, and hold harmless the City, its officers, agents, and employees, from claims arising out of the negligence or the intentional or wilful misconduct of the applicant or licensee.

Section 613.14 License – Authority to Inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections and to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, and provisions of this Article. A police investigator may conduct compliance inspections to insure conformance with all federal, state, and local laws, and all provisions of this Article.

Section 613.15 Compliance by Existing Dealers.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm, firearm ammunition, or firearm ammunition component on the effective date of this Article, or any amendments thereto, shall have a period of 60 days after such effective date to comply with the provisions of this Article, or any amendments thereto.

In addition, any person who possesses as of February 1, 1994, a permit or license issued by the San Francisco Police Department to engage in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm, firearm ammunition, or firearm ammunition component, shall not be required to comply with the requirements of § 613.3(i)(1), (2) and (3) of this Article.

Section 613.16 Temporary Suspension of License.

(a) If the Chief of Police has reason to believe that a licensee has (1) violated any federal, state or local law relating to the sale, lease, transfer, use or possession of firearms, firearm ammunition or firearms ammunition components, or (2) has committed any of the offenses set forth in § 613.3(e), the Chief of Police may immediately suspend for a period not to exceed 3 days the right of the licensee to sell, lease or otherwise transfer firearms, firearm ammunition or firearm ammunition components.

However, if the licensee is charged by a federal, state, or local prosecuting attorney with a violation of any such law the Chief of Police may suspend such license until the charges are dismissed or the licensee is found not guilty in a court of law. If the Chief of Police suspends a license pursuant to this provision, the licensee shall be provided an opportunity to present evidence to the Chief or his or her designee that the pending charges are without legal merit. The Chief's decision regarding whether to suspend a license pending the outcome of such charges shall be appealable to the Board of Appeals, at which proceeding the Chief shall have the burden of proof to justify his decision.

(b) Notice of suspension shall be mailed to the person(s) who applied for the license and shall be delivered to the address listed on the license.

Section 613.17 Delivery to Tax Collector.

Upon granting said license, the Police Department shall forward said license to the Tax Collector who shall issue said license to the applicant upon payment of the license fee, payable in advance.

Section 613.18 Rules and Regulations.

The Chief of Police is hereby authorized to promulgate such rules and regulations after noticed hearing as will enable the Police Department to effectuate the purposes of this ordinance. Failure to comply with such rules and regulations, or with any other requirements imposed by this ordinance, shall constitute grounds for revocation of licenses issued hereunder.

Section 613.19 Penalties.

Any person violating any provision of this Article shall be guilty of a misdemeanor or an infraction unless a penalty is otherwise specified. The complaint charging such violation shall specify whether the violation is a misdemeanor or infraction, which decision shall be that of the District Attorney. If charged as an infraction, upon conviction, the violator shall be punished by a fine of not more than $100 for each provision violated. If charged as a misdemeanor, upon conviction, the violator shall be punished by a fine of not less than $500 or more than $1,000 for each provision violated or by imprisonment in the County Jail for a period of not more than 6 months, or by both such fine and imprisonment. In any accusatory pleading charging a violation of this Section, if the defendant has been previously convicted of a violation of this Section, each such previous violation and conviction shall be charged in the accusatory pleading. Any person violating any provision of this Section a second or subsequent time within a 10-year period shall be guilty of a misdemeanor and shall be punished by a fine of not less than $500 and not more than $1,000 for each provision violated, or by imprisonment in the County Jail for a period of not more than 6 months, or by both such fine and imprisonment.

Section 613.20 Severability.

If any section, subsection, paragraph, sentence or word of this Article is deemed to be invalid or beyond the authority of the City and County of San Francisco, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this Article, and the application thereof; and to that end the section, subsections, paragraphs, sentences and words of this Article shall be deemed severable.

Section 614 Exceptions.

Sections 613 to 613.20 inclusive, of this Article, shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transport of unloaded firearms as merchandise to other wholesale or retail dealers by mail, express or other mode of shipment to points outside the City and County of San Francisco.

Section 615 Records of Ammunition Sales.

(a) Definitions. As used in this Section 615, these terms shall have the following meanings:

(1) "**Firearm ammunition**" shall include any ammunition for use in any pistol or revolver, or semiautomatic rifle or assault weapon, but shall not include ammunition for shotguns that contains shot that is No. 4 or smaller.

(2) "**Semiautomatic rifle**" shall mean any repeating rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(3) "**Assault weapon**" shall mean any of the weapons designated in California Penal Code § 12276 or 12276.1.

(4) "**Vendor**" shall mean any person located in the City and County of San Francisco who is engaged in the sale of firearm ammunition, including any retail firearms dealer.

(5) "**Remote Vendor**" shall mean any person engaged in the sale of firearm ammunition, including any retail firearms dealer, who is located outside the City and County of San Francisco but delivers or causes to be delivered firearm ammunition to an address within the City and County of San Francisco.

(b) No Vendor or Remote Vendor engaging in a transaction for delivery to an address in the City and County of San Francisco shall sell or otherwise transfer ownership of any firearm ammunition without at the time of purchase recording the following information on a form to be prescribed by the Chief of Police:

(1) the name of the Vendor or Remote Vendor (including the name of the specific individual) transferring ownership to the transferee;

(2) the place where the transfer occurred; in the case of a Remote Vendor, the place of transfer shall be the origin of the shipment;

(3) the date and time of the transfer; a Remote Vendor shall record the date and time of the shipment;

(4) the name, address and date of birth of the transferee;

(5) the transferee's driver's license number, or other identification number, and the state in which it was issued;

(6) the brand, type and amount of ammunition transferred; and

(7) the transferee's signature and thumbprint.

(c) Any Vendor or Remote Vendor who sells or otherwise transfers any firearm ammunition, where the transaction occurs within the City and County of San Francisco or the firearm ammunition is ordered for delivery to an address within the City and County of San Francisco, shall be subject to the reporting requirement of this subsection (c). On a weekly basis, the Vendor or Remote Vendor shall report the transactions for the previous week to the Chief of Police or his or her designee by electronic mail or by such other means specified by the Chief of Police or his or her designee. The report shall contain the same information required under subsection (b) for each transaction.

(d) No Vendor or Remote Vendor shall knowingly make a false entry in, or fail to make a required entry in, records prepared in accordance with subsection (b). No Vendor or Remote Vendor shall fail to submit the report required under subsection (c) in a timely manner, or knowingly include false information in such report. A Vendor or Remote Vendor must maintain the records required under subsection (b) on the premises for a period of not less than 2 years from the date of the recorded transfer. Said records shall be subject to inspection by the Police Department at any time during normal business hours.

(e) Penalties.

(1) First Conviction. Any person violating any provision of this Section shall be guilty of an infraction. Upon conviction of the infraction, the violator shall be punished by a fine of not less than $50 nor more than $100.

(2) Subsequent Convictions. In any accusatory pleading charging a violation of this Section, if the defendant has been previously convicted of a violation of this Section, each such previous violation and conviction shall be charged in the accusatory pleading. Any person violating any provision of this Section a second time within a 90-day period shall be guilty of a misdemeanor and shall be punished by a fine of not less than $300 and not more than $400 for each provision violated, or by imprisonment in the County Jail for a period of not more than 6 months, or by both such fine and imprisonment. Any person violating any provision of this Section, a third time, and each subsequent time, within a 30-day period shall be guilty of a misdemeanor and shall be punished by a fine of not less than $400 and not more than $500 for each provision violated, or by imprisonment in the County Jail for a period of not more than 6 months, or by both such fine and imprisonment.

(f) Severability. If any subsection, sentence, clause, phrase, or word of this Section be for any reason declared unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or the effectiveness of the remaining portions of this Section or any part thereof. The Board of Supervisors hereby declares that it would have adopted this Section notwithstanding the unconstitutionality, invalidity, or ineffectiveness of any one or more of its subsections, sentences, clauses, phrases, or words.

Section 616 Reporting the Loss or Theft of Firearms.

(a) Any person that owns or is otherwise in possession of a firearm shall report the theft or loss of such firearm to the San Francisco Police Department within 48 hours of becoming aware of the theft or loss whenever

(1) the owner resides in San Francisco, or

(2) the theft or loss of the firearm occurs in San Francisco.

(b) The failure of an owner or person in possession of a firearm to report the theft or loss of the firearms within 48 hours of when the owner or person in possession becomes aware or should have become aware of the theft or loss shall be punishable in accordance with § 613.19.

(c) The failure of an owner or person in possession of a firearm to report the theft or loss of the firearms in a timely manner shall create a rebuttable presumption that the owner or person remains in possession of the firearm.

Section 617 Prohibition against Possession or Sale of Firearms or Ammunition on Property Controlled by the City and County of San Francisco.

C.[1] Definitions.

(1) City and County Property.

(a) As used in this section, the term "**City property**" means real property, including any buildings thereon, owned or leased by the City and County of San Francisco (hereinafter "City"), and in the City's possession or in the possession of a public or private entity under contract with the City to perform a public purpose including but not limited to the following property: recreational and park property including but not limited to Golden Gate Park, the San Francisco zoo, Hilltop Park and San Francisco's parks and playgrounds, plazas including but not limited to United Nations Plaza and Hallidie Plaza, community centers such as Ella Hill Hutch Community Center, and property of the Department of Recreations and Parks, the Port, and the Public Utilities Commission.

(b)[2] The term "City property" does not include any "local public building" as defined in Penal Code § 171b(c), where the state regulates possession of firearms pursuant to Penal Code § 171b.

(c) The term "City property" also does not include the public right-of-way owned by the City and County of San Francisco including any area across, along, on, over, upon, and within the dedicated public alleys, boulevards, courts, lanes, roads, sidewalks, streets, and ways within the City or any property owned by the City that is outside the territorial limits of the City and County of San Francisco.

(2) Firearms. As used in this section the term "**firearm**" is any gun, pistol, revolver, rifle or any device, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion. "Firearm" does not include imitation firearms or BB guns and air rifles as defined in Government Code § 53071.5.

(3) Ammunition. "**Ammunition**" is any ammunition as defined in California Penal Code § 12316(b)(2).

C.[1] Possession or Sale of Firearms or Ammunition on County Property Prohibited. No person shall:

(1) Bring onto or possess on county property a firearm, loaded or unloaded, or ammunition for a firearm.

(2) Sell on county property a firearm, loaded or unloaded, or ammunition for a firearm.

D. Exceptions, Ban on Possession. Section C.(1)1 above shall not apply to the following:

(1) peace officer, retired peace officer or person assisting a peace officer when authorized to carry a concealed weapon under Penal Code § 12027(a) or a loaded firearm under Penal Code § 12031(b)(1) and under 18 U.S.C. 926B or 926C.

(2) Members of the armed forces when on duty or other organizations when authorized to carry a concealed weapon under Penal Code § 12027(c) or a loaded firearm under Penal Code § 12031(b)(4).

(3) Military or civil organizations carrying unloaded weapons while parading or when going to and from their organizational meetings when authorized to carry a concealed weapon under Penal Code § 12027(d).

(4) Guards or messengers of common carriers, banks and other financial institutions when authorized to carry a concealed weapon under Penal Code § 12027(e) and armored vehicle guards when authorized to carry a loaded weapon under Penal Code § 12031(b)(7).

(5) Persons who are at a target range.

(6) Honorably retired Federal officers or agents of Federal law enforcement agencies when authorized to carry a concealed weapon under Penal Code § 12027(i) or a loaded weapon under Penal Code § 12031(b)(8).

(7) The public administrator in the distribution of a private estate or to the sale of firearms by its auctioneer to fulfill its obligation under State Law.

(8) Patrol special police officers, animal control officers or zookeepers, and harbor police officers, when authorized to carry a loaded firearm under Penal Code § 12031(c).

(9) A guard or messenger of a common carrier, bank or other financial institution; a guard of a contract carrier operating an armored vehicle; a licensed private investigator, patrol operator or alarm company operator; a uniformed security guard or night watch person employed by a public agency; a uniformed security guard or uniformed alarm agent; a uniformed employee of private patrol operator or private investigator when any of the above are authorized to carry a loaded firearm under Penal Code § 12031(d).

(10) Any authorized participant in a motion picture, television or video production or entertainment event when the participant lawfully uses a firearm as part of that production or event.

E. Exception, Ban on Sale. Section C.(2)[1] above shall not apply to the following:

(1) Purchase or sale of a firearm or ammunition for a firearm by a federal, state or local law enforcement agency or by any other Federal, State or local governmental entity.

(2) The public administrator in the distribution of a private estate or to the sale of firearms by its auctioneer to fulfill its obligation under state law.

(3) Sale of ammunition at a target range for use at the target range.

F. Penalty for Violation. Any person who violates any of the provisions of this § 617(c)[3] shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed $1,000 or by imprisonment in the county jail not to exceed 6 months, or by both.

G. Severability. If any provision, clause or word of this Section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision, clause, word or application of this Section which can be

given effect without the invalid provision, clause or word, and to this end the provisions of this chapter are declared to be severable.

Codification Notes

[1.] As enacted by Ord. 194-07, this section includes two divisions designated "C.," both of which have subdivisions designated "(1)" and "(2)." The first division "C." includes definitions; the second includes prohibitions relating to sales and possession.

[2.] As enacted by Ord. 194-07, the second and third paragraphs of this division are undesignated. The codifier added the designations "(b)" and "(c)."

[3.] So in Ord. 194-07.

Section 618 Prohibited Ammunition

(a) Definition. For purposes of this Section, "Prohibited Ammunition" shall mean:

(1) Ammunition sold under the brand name "Winchester Black Talon," or that has physical properties resulting in ballistics performance identical to ammunition presently or formerly sold under the brand name Winchester Black Talon; or,

(2) Ammunition designated by its manufacturer for purchase by law enforcement or military agencies only, unless other ammunition is available to the general public that has physical properties resulting in ballistics performance identical to such ammunition.

(b) Possession Prohibited; Exceptions. No person, firm, corporation or other entity may possess Prohibited Ammunition within the City and County of San Francisco, except that this subsection shall not apply to the otherwise-lawful possession of Prohibited Ammunition by the following:

(1) Peace officers in possession of Prohibited Ammunition issued to them by their employing agency;

(2) Federal law enforcement officers or other federal employees in possession of Prohibited Ammunition issued to them by their employing agency;

(3) Members of the armed forces of the United States in possession of Prohibited Ammunition issued to them by the military agency to which they belong;

(4) Patrol special police officers, animal control officers or zookeepers, harbor police officers, sheriff's security officers, or police security officers in possession of Prohibited Ammunition issued to them by their employing agencies; or,

(5) Businesses licensed as firearms dealers under this Article in possession of Prohibited Ammunition for sale to law enforcement and military agencies. Agencies employing persons listed in subsection (b)(4) are considered law enforcement agencies for purposes of this Section.

(c) Sale or Transfer. No business licensed as a firearm dealer under this Article may sell, lease or otherwise transfer Prohibited Ammunition except to law enforcement and military agencies.

(d) Police Database. The San Francisco Police Department shall prepare or cause to be prepared a public database of brands and product lines of ammunition meeting the definition of "Prohibited Ammunition" in subsection (a). Failure of the Police Department to create or maintain such a database, or the omission from the database of a particular brand or product line of ammunition otherwise qualifying as "Prohibited Ammunition," under subsection (a), shall not be a defense to or otherwise excuse a violation of this Section.

(e) Penalty. Violation of any of the provisions of this Section is a misdemeanor and upon conviction the violator may be punished by a fine not to exceed $1,000 or by imprisonment in the county jail not to exceed 6 months, or by both.

(f) Severability. If any provision, clause or word of this § 618 or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision, clause, word or application of this Section which can be given effect without the invalid provision, clause or word, and to this end the provisions of this Section are declared to be severable.

Article 35 Firearm Strict Liability Act

Section 3501 Definitions.

(a) "Firearm" shall have the same meaning as in San Francisco Police Code § 613.1(a).

(b) "Dealer" means any person engaged in the business of selling firearms at wholesale or retail and specifically includes pawnbrokers who take or receive firearms as security for the payment or repayment of money.

(c) "Importer" means any person engaged in the business of importing or bringing firearms into the United States for sale or distribution.

(d) "Manufacturer" means any person in business to manufacture or assemble a firearm or ammunition for sale or distribution.

(e) "Law enforcement agency" means a federal, state or local law enforcement agency, state militia or an agency of the United States government.

(f) "Law enforcement official" means any officer or agent of an agency defined in paragraph (e) of this section who is authorized to use a firearm in the course of his or her work.

(g) "Internal personalized safety feature" means any internal locking device or other mechanical or electrical device integral to the frame of the firearm that prevents any unauthorized use of the firearm. Such mechanical or electrical devices can include but are not limited to devices that use computer microchips, radio signals or user fingerprints as a means to "recognize" an authorized user. A trigger lock or other external device shall not be considered an internal personalized safety feature.

Section 3502 Imposition of strict liability.

(a) Each manufacturer, importer and/or dealer of a firearm shall be held strictly liable in tort, without regard to fault or proof of defect, for all direct and consequential damages arising from bodily injury or death where the bodily injury or death results from the discharge within the jurisdiction of the City and County of San Francisco of any firearm manufactured, imported, distributed, sold, leased or otherwise transferred by the manufacturer, importer and/or dealer, except that no liability shall be imposed pursuant to this subsection for a discharge that occurs prior to the effective date of this section.

(b) Exemptions and Limitations.

(1) No action may be commenced pursuant to this section by any person who is injured or killed by the discharge of a firearm while such person is committing or attempting to commit a crime (whether or not such crime is actually charged), or while such person is attempting to evade arrest by a law enforcement official. This exemption shall be in the nature of an affirmative defense, and shall be proven by a preponderance of the evidence.

(2) No action may be commenced pursuant to this section by any person injured or killed by the discharge of a firearm by a law enforcement official.

(3) This section shall not limit in scope any cause of action, other than that provided by this section, available to a person injured by or killed by a firearm.

(4) Nothing in this section shall prevent a manufacturer, importer or dealer from seeking whole or partial indemnity or contribution for any liability incurred under this section from any third party wholly or partially responsible for the injury or death.

(5) No action may be commenced pursuant to this section by any person for a self-inflicted injury.

(6) No action may be commenced pursuant to this section where the firearm was equipped with an internal personalized safety feature at that time of its first retail sale.

(7) If any manufacturer, importer or dealer has purchased and has in effect at the time of the injury an insurance policy that covers any and all damages, including but not limited to bodily injury or death, resulting from the discharge of the specific firearm involved in the incident, the liability imposed under this section as to that manufacturer, importer or dealer shall not exceed the total amount of coverage available under said policy provided that the total coverage available under the policy shall not be less than $100,000 per incident.

(8) No action may be commenced pursuant to this section where the firearm involved is either (a) a shotgun without a magazine or having a fixed magazine of 4 or less rounds or (b) a rifle without a magazine or having a fixed magazine of 4 or less rounds.

Section 3503 Saving clause; Invalidity of part of article not to affect remainder.

If any section, subsection, sentence, clause or phrase of this Article is for any reason held to be unconstitutional, or invalid, such decision shall not affect the validity of the remaining portions of this Article. The Board of Supervisors hereby declares that it would have passed this Article and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Article 36A Sale, Manufacture, and Distribution of Firearms and Ammunition; Possession of Handguns

Section 3600A Statement of findings and text of ordinance prohibiting the sale, manufacture and distribution of firearms and ammunition in the city and county of San Francisco and limiting the possession of handguns in the city and county of San Francisco.

Section 2. Ban on Sale, Manufacture, Transfer or Distribution of Firearms in the City and County of San Francisco

Within the limits of the City and County of San Francisco, the sale, distribution, transfer and manufacture of all firearms and ammunition shall be prohibited.

Section 3. Limiting Handgun Possession in the City and County of San Francisco

Within the limits of the City and County of San Francisco, no resident of the City and County of San Francisco shall possess any handgun unless required for professional purposes, as enumerated herein. Specifically, any City, state or federal employee carrying out the functions of his or her government employment, including but not limited to peace officers as defined by California Penal Code Section 830 et. seq. and animal control officers may possess a handgun. Active members of the United States armed forces or the National Guard and security guards, regularly employed and compensated by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment, may also possess handguns. Within 90 days from the effective date of this Section, any resident of the City and County of San Francisco may surrender his or her handgun at any district station of the San Francisco Police Department, or to the San Francisco Sheriff's Department without penalty under this section.

Section 4. Effective Date

This ordinance shall become effective January 1, 2006.

Section 5. Penalties

Within 90 days of the effective date of this Section, the Board of Supervisors shall enact penalties for violations of this ordinance. The Mayor, after consultation with the District Attorney, Sheriff and Chief of Police shall, within 30 days from the effective date, provide recommendations about penalties to the Board.

Section 6. State Law

Nothing in this ordinance is designed to duplicate or conflict with California State Law. Accordingly, any person currently denied the privilege of possessing a handgun under state law shall not be covered by this ordinance, but shall be covered by the California state law which denies that privilege. Nothing in this ordinance shall be construed to create or require any local license or registration for any firearm, or create an additional class of citizens who must seek licensing or registration.

Section 7. Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications or this ordinance which can be given effect without the invalid or unconstitutional provision or application. To this end, the provisions of this ordinance shall be deemed severable.

Section 3601A Penalty for sale, distribution, transfer, and manufacture of firearms and ammunition or possession of handguns within city and county of San Francisco.

(b) Any person who shall violate the provisions of Police Code Section 3600A that prohibit the sale, distribution, transfer and manufacture of all firearms and ammunition within the limits of the City and County of San Francisco or that prohibit the possession of any handgun within the limits of the City and County of San Francisco shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed $1,000 and by imprisonment in the County Jail not to exceed six months, or by both.

(c) Any firearm or ammunition sold, distributed, transferred, or manufactured or any handgun possessed within the City and County of San Francisco in violation of the provisions of Police Code Section 3600A is hereby declared to be a nuisance, and shall be surrendered to the Police Department of the City and County of San Francisco. The Chief of Police is authorized to seize such firearms, ammunition and handguns and shall destroy or cause to be destroyed such firearms, ammunition and handguns, except upon the certificate of a judge of a court of record, or of the District Attorney that the preservation thereof is necessary or proper to the ends of justice.

(d) This Section shall be enforced to the full extent of the authority of the City and County of San Francisco. If any subsection, sentence, clause, phrase, or word of this Section or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Section which can be given effect without the invalid or unconstitutional provision or application. To this end, the provisions of this section shall be deemed severable.

Article 36B Storage of Firearms in Motor Vehicles

Section 3601B Definitions.

"**Firearm**" means a Firearm as defined in California Penal Code section 12001, as amended from time to time.

"**Lock box**" means a container that is listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices.

"**Motor Vehicle**" means a vehicle as defined in California Vehicle Code section 415, as amended from time to time.

"**Trunk**" means a fully enclosed compartment that is separate from the main cabin of the Motor Vehicle.

"**Unattended**" means that a person aged 18 or over is not present in the Motor Vehicle.

Section 3602B Storage of firearms in motor vehicles.

(a) No person may place, store, or leave a Firearm in an unattended Motor Vehicle unless the Firearm is stored:

(1) in a locked Trunk of a Motor Vehicle, provided that the automatic Trunk release in the main cabin of the Motor Vehicle is disabled; or

(2) in a Lock Box that is permanently affixed to the Trunk of a Motor Vehicle, provided that the Lock Box is locked; or

(3) for Motor Vehicles with four or more wheels and lacking a Trunk, in a Lock Box that is permanently affixed to the Motor Vehicle and underneath a seat, or covered, or otherwise outside the view of the public, provided that the Lock Box is locked; or

(4) for Motor Vehicles with fewer than four wheels, in a Lock Box that is permanently affixed to the Motor Vehicle, provided that the Lock Box is locked.

(b) Notwithstanding subsections (a)(1), (a)(2), (a)(3), and (a)(4) no person may place, store, or leave a Firearm overnight in an unattended Motor Vehicle.

(c) This Article 36B is not intended to conflict with applicable State or federal law, if any.

(d) This Article 36B is intended to apply to all Motor Vehicles within the City and County of San Francisco. Notwithstanding the foregoing sentence, nothing in this Article 36B shall apply to on-duty peace officers employed by jurisdictions other than the City and County of San Francisco or to federal officers or military personnel who are acting within the scope of their authority and discharging their official duties. Any peace officer employed by City and County of San Francisco is exempt from the requirements of this Article provided that the officer's employing department has a policy regulating the storage of firearms for both on and off duty conduct by the officer.

Section 3603B Penalty.

Every violation of Section 3602B shall constitute a misdemeanor and shall be punishable by a fine not to exceed $10,000 or by imprisonment in the county jail not to exceed six months, or by both.

Section 3604B Promotion of general welfare.

In enacting and implementing Article 36B, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 3605B Severability.

It is the intention of the City and County of San Francisco that all persons within San Francisco be subject to Article 36B while in San Francisco. This Article or portion thereof shall not apply to anyone subject to the criminal prosecution under state law for the same conduct. If a court determines that this Article or any portion thereof may not be applied to a particular class of persons, it is the intention of the City and County of San Francisco that applicability of the Article or portion thereof to those persons shall be severed from the remainder of this Article or other portions thereof, which shall continue to apply to other persons.

Article 45 Firearms and Weapons Violence Prevention Ordinance

Section 4501 Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this Section:

(a) "Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon that expels a projectile by the force of an explosion or other form of combustion.

(b) "Projectile weapon" means any device or instrument used as a weapon which launches or propels a projectile by means other than the force of an explosion or other form of combustion with sufficient force to cause injury to persons or property. A projectile weapon shall include, but not be limited to, air gun, air pistol, air rifle, gas operated gun, BB gun, pellet gun, flare gun, dart gun, …wrist rocket, blow gun, paint gun, or other similar device or instrument.

Section 4507 Firearms and Projectile Weapons; Possession of by Minors.

(a) It shall be unlawful for any person under the age of 18 to have in his or her possession within the City and County of San Francisco any firearm or projectile weapon, as defined in § 4501. Violation of this provision shall be punishable in the manner provided in § 4503.

(b) It shall be unlawful for any parent or legal guardian, or any person over the age of 18 years, to sell, give or otherwise transfer to any minor in the City and County of San Francisco under the age of 18 years, or to allow such minor to possess, any firearm or projectile weapon, as defined in § 4501. Violation of this provision shall be punishable in the manner provided in § 4503.

(c) Any firearm or projectile weapon, which is in possession of a minor in violation of this Article, is hereby declared to be a nuisance, and shall be surrendered to the Police Department of the City and County of San Francisco and disposed of in accordance with the provisions of § 4505 above.

Section 4508 Severability.

This Article shall be enforced to the full extent of the authority of the City and County of San Francisco. If any subsection, sentence, clause, phrase, or word of this Article should be for any reason declared unconstitutional or invalid or ineffective by any court of competent jurisdiction, that decision shall not affect the validity or the effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have adopted this Article notwithstanding the unconstitutionality, invalidity, or ineffectiveness of any one or more of its subsections, sentences, clauses, phrases, or words.

Section 4511 Findings.

7.a. The locking requirements apply only to handguns that are not being carried. Gun owners and adults over 18 may carry loaded and unlocked handguns in the home at any time. The safe storage requirements also permit owners who wish to do so to store their handguns fully loaded.

Section 4512 Firearms Located in Any Residence to be Kept in a Locked Container or Disabled with a Trigger Lock.

(a) Prohibition. No person shall keep a firearm within any residence unless the firearm is stored in a locked container or disabled with a trigger lock.

(b) Definitions. As used in this § 4512, the following terms have the following meaning:

"Firearm" means a Firearm as defined in California Penal Code, § 16520, as amended from time to time.

"Locked container" means a locked container as defined in California Penal Code, § 16850, as amended from time to time and is listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices.

"Residence" means any structure intended or used for human habitation, including but not limited to houses, condominiums, rooms, in-law units, motels, hotels, SRO's, time shares, and recreational and other vehicles where human habitation occurs.

"Trigger lock" means a trigger lock that is listed on the California Department of Justice's roster of approved firearms safety devices and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device under Penal Code § 23635.

(c) Exceptions. This § 4512 shall not apply in the following circumstances:

(1) The firearm is carried on the person of an individual in accordance with all applicable laws.

(2) The firearm is under the control of a person who is a peace officer under Penal Code § 830 *et seq*.

(d) Lost or Stolen Firearms. In order to encourage reports to law enforcement agencies of lost or stolen firearms pursuant to Police Code § 616, a person who files a report with a law enforcement agency notifying the agency that a firearm has been lost or stolen shall not be subject to prosecution for violation of § 4512(a) above.

(e) Penalty. Every violation of this § 4512 shall constitute a misdemeanor and upon conviction shall be punished by a fine not to exceed $1,000 or by imprisonment in the county jail not to exceed 6 months, or by both.

(f) Severability. If any provision, clause or word of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision, clause, word or application of this § 4512 which can be given effect without the invalid provision, clause or word, and to this end the provisions of this Section are declared to be severable.

San Jacinto County Code of Ordinances

Codified through Ordinance No. 18-08, passed November 6, 2018.

Title 5 Business Licenses and Regulations
Chapter 5.24 Garage Sales

Section 5.24.060 Inspection.

All personal property offered for sale shall be arranged so that fire and life safety, police and other officials may have access for inspection at all times during the sale.

It is unlawful to offer for sale, firearms, pornographic material or other like items.

San Joaquin County Code of Ordinances

Codified through Ordinance No. 4507, passed May 15, 2018. (Supp. No. 66)

Title 7 Business Regulations
Division 1 Business Licenses
Chapter 5 Retail Sales of Concealable Firearms

Section 7-1250 License required.

Before any person shall engage in the County in the business of retail selling of pistols, revolvers, and other firearms capable of being concealed upon the person, they shall have an approved license issued under the provisions of Chapter 1 of this division and as modified by this chapter.

Section 7-1251 Conditions of approval.

In addition to the requirements in Chapter 1 of this division, any licenses approved under the provisions of this chapter shall be subject to the following conditions:

(a) The business shall be carried on only in the building designated in the license;

(b) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen;

(c) No pistol or revolver shall be delivered:

> **(1)** Within fifteen (15) days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor
>
> **(2)** Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity;

(d) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be readily seen from the outside.

Section 7-1252 Period of license.

Licenses shall remain in effect for a period not to exceed one (1) year from the date of filing the application therefor.

San Jose Code of Ordinances

Codified through Ordinance No. 30173, adopted October 23, 2018. (Supp. No. 33, Update 3)

Title 10 Public Peace, Morals & Welfare
Chapter 10.32 Weapons
Part 2 Weapons and Minors

Section 10.32.020 Restrictions on weapons for persons under the age of 18 years.

No person shall sell, dispose of or give to any minor under the age of 18 years, any pistol, airgun or other weapon capable of receiving and discharging any charge, cartridge or explosive, without the written request of his parent or guardian; and no minor under the age of 18 years shall have in his possession any such pistol or weapon unless by the written consent of his parent or guardian.

Part 3 Concealable Firearms Dealers

Section 10.32.030 License required.

No person shall engage in the business of selling or transferring, or shall advertise for sale, or offer or expose for sale, any pistol, revolver or other firearm capable of being concealed upon a person without first obtaining and keeping in current effect the requisite license as provided under this part. A license shall be required for each location where selling or transferring of such firearms takes place.

Section 10.32.040 Application for license.

Each person applying for a license under this part shall submit an application and a questionnaire response in support of such application to the chief of police. Such application shall be accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of council, said fee to defray the cost of processing such application. This fee shall be in addition to fees for processing noncriminal fingerprint cards. Each application shall specify only one location where the sale or transfer of concealable firearms should take place. If a licensee changes his or her place or business, an application for the new location shall be submitted, accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of council, said fee to defray the cost of processing such application. Such application shall be considered an initial application and not an application for renewal.

Section 10.32.050 Approval by chief of police.

The chief of police shall have the authority to approve or not approve applications under this part. For the purposes of considering applications for licenses under this part, the chief of police shall apply the minimum written standards herein below set forth in § 10.32.060. If an applicant meets all such standards, the chief of police shall issue a license.

Section 10.32.060 Procedural requirements.

Applicant must comply with the following requirements:

A. Possess valid and current federal firearms permit;

B. Pay permit fee to police department;

C. Pay fingerprinting fee to police department;

D. Complete personal history questionnaire on form provided by the San José police department;

E. Be fingerprinted at police department;

F. Be photographed at police department;

G. Be interviewed at police department by officer assigned to concealable firearms unit;

H. Sign authorization for release of pertinent records.

Section 10.32.065 Business site standards.

A. Business location must be in compliance with City of San José zoning codes and regulations.

B. Business site must be a permanent building having four solid walls and a roof; constructed of wood, metal, cement or like materials and resting on a foundation of cement, stone, brick or metal or similar materials commonly used in the construction of foundations for permanent buildings.

C. Building doors and windows must be alarmed with a system of any manufacture which will cause an audible alarm to sound on the exterior of the building or a silent alarm to a centralized monitored facility signaling unauthorized entry during nonbusiness hours.

D. Business inventory of an explosive or flammable nature must be stored in compliance with federal, state of California and City of San José fire codes.

E. Inventory of firearms must conform to the type of federal firearms permit issued to the permittee.

F. Business must conform to Penal Code § 12071, state of California, i.e.:

1. The business shall be carried on only in the building designated in the license.

2. The license or a copy thereof (when issued), certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

3. No pistol or revolver shall he delivered:

a. Within fifteen days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor

b. Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

4. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall he displayed in any part of the premises where it can readily be seen from the outside.

Section 10.32.066 Approval of application - Fitness standards.

Any application submitted under § 10.32.060 shall be approved if the applicant:

A. Fulfills all requirements of § 10.32.060 of this part; and

B. Is not under indictment for, nor has ever been convicted of a crime involving fraud, dishonesty, deceit or violence; and

C. Has not done any unlawful act involving firearms with the intent to injure seriously another person; and

D. Has not done any act involving dishonesty, fraud or deceit with the intent substantially to benefit him or herself or another, or substantially to injure another; and

E. Is not a fugitive from justice; and

F. Is not an unlawful user of or addicted to marijuana or any depressant or stimulant drug, narcotic drug, or excessive use of alcohol, to the extent that such use would impair his or her fitness to deal in concealable firearms; and

G. Has not been adjudicated as a mental defective, has not been committed to a mental institution, or does not suffer from any severe psychological disturbance which would seriously impair his or her fitness to deal in concealable firearms; and

H. Has not wilfully violated any provisions of this chapter; and

I. Has not wilfully made false statements as to any material fact in application for this license; and

J. Has not done any act which if done by a licensee would be grounds for suspension or revocation of license; and

K. Meets all business site standards under § 10.32.065.

Section 10.32.067 Maintenance and submission of records.

Each licensed dealer shall maintain records of importation, shipment, receipt, sale or other disposition of firearms and ammunition, and shall make such records available at all reasonable times, and shall submit to the licensing authority such reports and information upon reasonable request. The licensing authority may enter during business hours the premises (including places of storage) of any firearms or ammunitions dealer for the purpose of inspecting or examining (1) any records or documents required to be kept; (2) any firearms or ammunition kept or stored at such premises.

Section 10.32.070 Denial of application.

If the applicant does not meet all of the written standards hereinabove set forth, the chief of police shall not issue a license to such applicant. It shall be the duty of the chief of police to notify an applicant that his or her application has been denied by serving such person, either personally or by first class United States mail, with a letter setting forth the reason or reasons which provided cause for such denial. The notice, if served by mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the applicant's address of record. The notice shall also inform the applicant of his or her right to a hearing before the administrative appeals commission at which time the applicant may appear with counsel if so desired and be heard on the matter. The applicant shall also be given notice that any request for a hearing before the administrative appeals commission must be made in writing to such commission within 10 days after the date on which such notice is served on the applicant.

Section 10.32.080 Appeal from denial.

An applicant whose application has been denied by the chief of police shall have the right to appeal such decision to the code enforcement appeals commission in the manner set forth at § 6.02.190 of this Code. Said commission shall hold a hearing thereon in the manner set forth at § 6.02.190 of this Code.

Section 10.32.090 License renewal.

Every license issued under this chapter shall expire 1 year from the date of its issuance. Licensees shall submit an application for renewal in person at least 90 days before the expiration of the license. If renewal is not timely, the application will be deemed an application for license pursuant to § 10.32.040. Licensees who apply for renewal shall be required to meet the standards specified in this chapter. The application for renewal of a license issued hereunder shall be accompanied by a fee (in the form of a check or cash) as set forth in the schedule of fees established by resolution of council, said fee to defray the cost of processing such application.

Section 10.32.100 Licenses nonassignable.

Except as otherwise hereinafter provided, no license issued under this part may be sold, transferred or assigned by the licensee or by operation of law, to any other person or persons; and any such sale, transfer or assignment, or attempted sale, transfer or assignment, be deemed to constitute a voluntary surrender of such license and such license shall thereafter be deemed terminated and void.

Section 10.32.110 Display of license.

Every license issued under this part shall be displayed on the premises where the concealable firearms are sold in such a fashion that it can be easily read by patrons.

Section 10.32.120 Suspension and revocation.

Every license issued under this part shall be subject to summary suspension and revocation by the chief of police if that official determines that:

A. The licensee has failed to meet any of the requirements specified under this chapter;

B. The licensee has violated any of the conditions or provisions which appear on the license;

C. The licensee has violated any federal or state firearms sales laws;

D. The licensee's federal firearms sales license has been revoked;

E. The licensee has committed any act which could have resulted in denial of issuance of the license.

Notification. It shall be the duty of the chief of police to notify any licensee charged with any violation or misconduct, as described above, by serving such person, either personally or by first class United States mail, with a letter setting forth the particular written standard or condition which has been violated, and informing such licensee of the right to a hearing before the administrative appeals commission, at which time the licensee may appear with counsel if so desired and be heard in defense of the charges. The suspension or revocation shall be effective on the date the notice is served on the licensee. Such notice, if served by United States mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the licensee's address of record. Failure on the part of the licensee to request in writing a hearing before the administrative appeals commission within 10 days after the notice is served, personally or by United States mail, shall result in a permanent revocation of the license.

Section 10.32.130 Hearing.

Upon timely receipt of a written request for a hearing, the administrative appeals commission shall hold a hearing at the time and in the manner set forth in § 6.02.190 of this Code.

Part 5 Safe Storage of Firearms in a Residence

Section 10.32.160 Definitions.

As used in this Part, the following terms have the following meaning:

A. "Firearm" means a device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion.

B. "Locked Container" means a locked container as defined in California Penal Code Section 16850, as amended from time to time.

C. "Residence" means any structure intended or used for human habitation, including but not limited to houses, condominiums, rooms within a Residence, in-law units, motels, hotels, single room occupancy units, time shares, and recreational and other vehicles where human habitation occurs.

D. "Trigger Lock" means a trigger lock that is listed on the California Department of Justice's roster of approved firearms safety devices, and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device under California Penal Code Section 23635, as may be amended from time to time.

Section 10.32.170 Firearms in residence - Prohibition, Exception for reporting theft or loss, and sunset for reporting exception.

A. A person who owns or possesses a Firearm and keeps it in his or her Residence shall store the Firearm in a Locked Container or disable the Firearm with a Trigger Lock upon leaving the Residence.

B. A person who owns or possesses a Firearm who reports to the San Jose Police Department that a Firearm was stolen or lost within 24 hours of the time he or she knew or reasonably should have known that the firearm had been stolen or lost shall not be prosecuted for violation of subsection A.

C. Subsection B shall remain in effect for one calendar year from the date the Ordinance adding this Part 5 of Chapter 10.32 of Title 10 of the San Jose Municipal Code takes effect.

Title 20 Zoning
Chapter 20.80 Specific Use Regulations
Part 9 Home Occupations

Section 20.80.720 Prohibited uses.

The following are not permitted as home occupations:

C. Firearm sales and service.

San Juan Bautista Code of Ordinances
Codified through Ordinance No. 2018-05, passed June 9, 2018.

Title 11 Zoning
Chapter 11-07 Home Occupation Regulations

Section 11-07-050 Prohibited home occupation uses.

The following are examples of uses that are not incidental to or compatible with residential activities, and are therefore prohibited as home occupations:

(C) Gun or ammunition sales, including off site and by mail order.

San Leandro Code of Ordinances
Codified through Ordinance No. 2018-017 and the September 2018 code supplement.

Title 2 Revenue
Chapter 2-2 Business License
Article 5 Fees

Section 2-2-500 Fees based on nature of business.

Every person commencing or carrying on a business within this City shall pay a license fee in an amount determined by the Finance Director in accordance with the nature of the business as hereinafter set forth:

Business Classification	Annual Base Fee	Unit Fee	Unit Fee Basis
Firearms Dealer	$136.20	$4.10	Per $100 of gross receipts attributable to the sales of firearms capable of being concealed upon the person and ammunition for such firearms, excluding sales to public agencies

The business license fees established by this section shall continue to be adjusted annually by an amount equal to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose metropolitan area, as published by the U.S. Department of Labor, Bureau of Statistics.

Title 4 Public Welfare
Chapter 4-14 Firearms
Article 1 Regulation of Firearms and Ammunition

Section 4-14-110 Ammunition.

No person shall, within the City of San Leandro, sell, loan or give any ammunition to any person under eighteen (18) years of age.

Article 3 Requirement That Firearms Dealers Sell or Provide Trigger Locks or Similar Safety Devices For Each Firearm Sold, Leased, or Transferred—Posted Notice

Section 4-14-300 Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

(a) Firearm. “Firearm” shall mean any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

(b) Firearms Dealer. “Firearms dealer” shall mean a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(c) Person. “Person” shall mean natural person, association, partnership, firm, or corporation.

(d) Trigger Lock. “Trigger lock” shall mean a mechanical locking device which blocks or impairs the action of the trigger, rendering the firearm inoperable until removed.

Section 4-14-310 Requirement to sell or provide trigger locks or similar devices.

Firearms dealers doing business within the City of San Leandro shall not sell, lease, or otherwise transfer any firearm without also selling or providing a nonreturnable trigger lock, or similar safety device, to prevent the unintentional discharge of the firearm.

Section 4-14-320 Exemption.

Persons providing firearms for temporary use only within a designated firing range, shall be exempt from the provisions of this Article, so long as such firearms are not permitted to be removed from the firing range premises and the period of use does not exceed eight (8) hours.

Section 4-14-330 Posted notice.

Firearms dealers operating within the City of San Leandro shall conspicuously post the following notice at their place of business in the area in which the firearms are sold, leased or transferred. The letters on the notice must be legible, at least one inch (1") in height, and shall read:

A TRIGGER LOCK OR OTHER SAFETY DEVICE MUST BE SOLD OR PROVIDED WITH EACH FIREARM. THESE DEVICES PREVENT THE UNINTENTIONAL DISCHARGE AND USE OF YOUR FIREARM. SAN LEANDRO MUNICIPAL CODE TITLE IV CHAPTER 14.

Article 4 Certification Requirements for Employees of Firearms Dealers

Section 4-14-400 Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

(a) Applicant. "Applicant" shall mean any person applying for a certification pursuant to this Article.

(b) Certification. "Certification" shall mean the receipt of a document issued to the employee by the Chief of Police, signifying that the employee has met the requirements of this Article.

(c) Chief Of Police. "Chief of Police" shall mean the Chief of Police of the City of San Leandro, or authorized designee.

(d) Employee. "Employee" shall mean a person who is employed by a firearms dealer, and who assists in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(e) Engaged In The Business. "Engaged in the business" shall mean the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm, or the selling, transferring, or leasing of firearms in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

(f) Firearm. "Firearm" shall mean any device, designed to be used as a weapon or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

(g) Firearms Dealer. Firearms dealer" shall mean a person engaged in the business of selling, transferring, or leasing, or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(h) Person. "Person" shall mean natural person, association, partnership, firm, or corporation.

Section 4-14-410 Required certification.

It shall be unlawful for any employee to sell, transfer, or lease, or advertise for sale, transfer or lease, or offer for sale, transfer, or lease, any firearm without first obtaining a certification from the Chief of Police except for the interim period provided in Section 4-14-470 for persons who are employees as of the effective date of this Article.

Section 4-14-420 Application forms and fees.

An applicant for a certification under this Article shall file with the Chief of Police a sworn application in writing, on a form to be furnished by the City. The Chief or Police may require additional information of an applicant reasonably necessary to complete the investigation. The applicant shall provide all information reasonably requested, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee as set forth in the City of San Leandro license/permit fee schedule. To the extent practicable, the fee amount shall reflect the cost of enforcing the requirements of this Article 4.

Section 4-14-430 Application—investigation.

The Chief of Police shall conduct an appropriate investigation to determine for protection of the public health, safety and welfare whether the certification may be issued. Such determination shall be made within fifteen (15) days of the receipt of a completed application.

Section 4-14-440 Application denial.

The Chief of Police shall deny the issuance of a certification when any of the following conditions exist:

(a) The applicant, or employee, is under the age of twenty-one (21) years.

(b) The applicant, or employee, has made a false or misleading statement of a material fact, or an omission or a material fact in the application for a certification.

(c) The applicant, or employee, has been convicted of:

> **(1)** Any offense so as to disqualify the applicant, or employee, from owning or possessing a firearm under applicable Federal, State, and local laws.

(2) Any offense relating to the manufacturing, sale, possession, use or registration of any firearm or dangerous or deadly weapon.

(3) Any felony offense involving the use of force or violence upon the person of another.

(4) Any felony offense involving theft, fraud, dishonesty, or deceit.

(5) Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read.

(d) The applicant, or employee, is an unlawful user of any controlled substance as defined by the California Health & Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use would impair his or her fitness to be a seller of firearms.

(e) The applicant, or employee, has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which, without a reasonable accommodation, would impair his or her fitness to be a seller of firearms.

Section 4-14-450 Grounds for revocation of certification.

In addition to any provisions contained in this Article, any circumstances constituting grounds for denial shall also constitute grounds for revocation.

Section 4-14-460 Certification/revocation—hearing.

(a) Any person whose application for a certification under this Article has been denied, or whose certification has been revoked pursuant to the provisions of this Article, shall have the right to a hearing before the Chief of Police prior to final denial or prior to revocation.

(b) The Chief of Police shall give the applicant or employee written notice of the intent to deny the application or to revoke the certification. The notice shall set forth the ground(s) for the Chief of Police's intent to deny the application or to revoke the certification, and shall inform the applicant or employee that he or she has ten (10) days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the certification revoked if a written hearing request is not received within the ten (10) day period.

(c) If the applicant or employee files a timely hearing request, the Chief of Police shall set a time and place for the hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross examine any witnesses against them. The decision of the Chief of Police whether to deny the application or revoke the certification is final and non-appealable.

Section 4-14-470 Compliance.

Any employee as of the effective date of this Article shall have a period of ninety (90) days after such effective date to submit an application for certification to comply with the provisions of this Article. All other persons shall obtain the certification required by this Article prior to becoming an employee.

Section 4-14-480 Severability.

This Article shall be enforced to the full extent of the authority of the City of San Leandro. If any section, subsection, paragraph, sentence or word of this Article is deemed to be invalid or beyond the authority of the City of San Leandro, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this Article, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this Article shall be deemed severable.

Article 5 Prohibition on the Sale of Saturday Night Specials, also Known as Junk Guns

Section 4-14-505 Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

(a) Saturday Night Special. "Saturday Night Special," as used in this Article shall mean any of the following:

(1) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength.

(2) A semi-automatic pistol which:

(i) Is not originally equipped by the manufacturer with a locked-breech action; and

(ii) Is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

(iii) For purpose of this subsection (a)(2), “semi-automatic pistol” shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (A) fires the cartridge in the chamber; (B) ejects the fired cartridge case; and (C) loads a cartridge from the magazine into the chamber. “Semiautomatic pistol” shall not include any assault weapon designated in California Penal Code Section 12276.

(3) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

(i) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech reassures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(ii) Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(iii) Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger; or

(iv) If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

(v) For purpose of this subsection (a)(3), “action mechanism” shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded, commonly known as the cycle of operation.

Section 4-14-510 Exclusions.

The term “Saturday Night Special” does not include any of the following:

(a) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

(b) Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion.

(c) Children’s pop guns or toys; or

(d) An “unconventional pistol” as defined in California Penal Code Section 12020(c)(12); or

(e) Any pistol which has been modified to either render it permanently inoperable or permanently to make it a device no longer classified as a “Saturday Night Special.”

Section 4-14-515 Roster of Saturday Night Specials.

On or before the effective date of this roster, the Chief of Police, or designee, (the “Chief of Police”) shall compile, publish, and thereafter maintain a roster of Saturday Night Specials (the “roster”). The roster shall list those firearms, by manufacturer and model number, which the Chief of Police determines fit the definition of Saturday Night Specials as set forth in this Article. The Chief of Police may retain an independent firearms expert to assist in the determinations.

Section 4-14-520 Notification.

Upon completion of a list of firearms to be placed on the roster for the first time, the Chief of Police shall endeavor to send written notification to: (1) the manufacturer of every firearm on said list; and (2) every dealer within the City who is licensed to sell and transfer firearms pursuant to Section 12071 of the California Penal Code. Such notification shall do the following:

(a) Identify the model number of the firearm which has been classified as a Saturday Night Special within the meaning of this Article; and

(b) Advise the recipient of the notice that he or she may apply for reconsideration of the classification of the firearm as a Saturday Night Special; and

(c) Advise the recipient of the notice that the burden of proving that a firearm does not constitute a Saturday Night Special within the meaning of this Article shall be borne by the recipient.

Section 4-14-525 Reconsideration by the chief of police.

(a) The Chief of Police shall, prior to January 1, 1997, establish standards and procedures for the form and content of an application for reconsideration, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police to classify the firearm subject to reconsideration as a Saturday Night Special as defined by this Article. Such standards and procedures shall provide that the Chief of Police shall render a decision within thirty (30) days of the submission of a completed application.

(b) Upon timely filing of one or more complete applications for reconsideration, the Chief of Police shall evaluate the evidence submitted by the applicant(s). The Chief of Police may retain an independent firearms expert to assist in the reconsideration. The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday Night Special as defined by this Article.

Section 4-14-530 Appeal of classification.

(a) If the Chief of Police determines that the firearm under reconsideration has been properly classified as a Saturday Night special, then the applicant(s) shall have the right to appeal such decision within fifteen (15) days of notification of the Chief of Police's decision. The applicant(s) shall have the right to appeal such decisions to the City Manager, or designee, and the applicant(s) shall have the right to a hearing before the City Manager prior to inclusion of the firearm in question on the roster.

(b) The City Manager is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Chief of Police to classify the firearm subject to appeal as a Saturday Night Special as defined by this Article.

(c) The appellant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday Night Special as defined by the Article, and that the determination of the Chief of Police was erroneous.

(d) All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issue, and to be represented by counsel.

(e) The City Manager shall hear and consider all relevant evidence. The City Manager may retain an independent firearms expert to assist in the evaluation of the appeal. Any such expert would be subject to examination by the parties. Upon conclusion of the hearing, the City Manager shall render a written decision within thirty (30) days, based upon the evidence presented and expert information provided, if any.

(f) In all instances, the decision of the City Manager is final regarding whether a firearm is a Saturday Night Special and should be listed on the roster.

Section 4-14-535 Publication of the roster.

The Chief of Police shall place on the roster those firearms which have been determined to constitute a Saturday Night Special as defined by this Article, and shall publish such roster in the following manner:

(a) Notification of the roster's completion shall be published at least once in the official newspaper as designated by the City and circulated in the City within fifteen (15) days after completion of the roster; and

(b) A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the City Clerk; and

(c) A copy of the roster shall be distributed to every firearms dealer in the City who is licensed to sell and transfer firearms pursuant to Section 12071 of the California Penal Code and local regulations.

Section 4-14-540 Effective date of the roster.

The roster shall become effective on the fifteenth (15th) day following its publication.

Section 4-14-545 Additions to the roster.

The addition of firearms to the roster shall be made in accordance with the following provisions:

(a) Semi-Annual Determination. On a semi-annual basis, the Chief of Police shall determine the need to place firearms on the roster upon identifying one or more firearms as a Saturday Night Special, the Chief of Police shall prepare a draft list of additions to the roster.

(b) Notification of Additions. In the event that a draft list of additions to the roster is prepared, the Chief of Police shall endeavor to send written notification in accordance with Section 4-14-520.

(c) Reconsideration by the Chief of Police and Appeal. Any person who the Chief of Police notifies pursuant to subsection (b) above, may apply for reconsideration of the classification of the firearm as a Saturday Night Special in accordance with the provisions of Section 4-14-525. An appeal of the reconsideration by the Chief of Police may be made to the City Manager pursuant to the provisions of Section 4-14-530.

(d) Additions to Firearms Roster; Publication; and Effective Date. After all appeals have been exhausted, the Chief or Police shall place on the roster those additional firearms which have been determined to constitute Saturday Night Specials within the meaning of this Article. The Chief of Police shall cause the roster, as amended, to be published in accordance with the provisions of Section 4-14-535. Such amended roster shall be effective fifteen (15) days following the date of such publication. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon.

Section 4-14-550 Sale prohibited.

After January 1, 1997, no wholesale or retail firearms dealer as licensed by the federal or state government and operating within the territorial limits of the city, shall sell, offer or display for sale, give, lend, or transfer ownership, of any firearm listed on the roster of Saturday Night Specials. This section shall not preclude a wholesale or retail gun dealer from processing firearms transactions between unlicensed parties pursuant to Section 12702(d) of the California Penal Code.

Section 4-14-555 Exemptions.

Nothing in this Article relative to the sale of Saturday Night Specials shall prohibit the disposition of any firearms by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this Article prohibit the use of any firearm by the above-mentioned persons in the performance or their official duties.

Section 4-14-560 Severability.

The City Council declares that, should any provision, section, paragraph, sentence, or work of this Article be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason by any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of said ordinance hereby adopted shall remain in full force and effect.

San Leandro Zoning Code

Codified through Ordinance No. 2017-014 and the June 2018 code supplement.

Part II Base District Regulations
Article 6 Commercial and Professional Districts
Division 1 Use Regulations

Section 2-606 CC District—Use regulations.

B. CC District—Conditionally Permitted Uses.

The following uses are allowed in the CC District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

27. Gun or Weapon Shop.

San Luis Obispo County Code of Ordinances

Codified through Ordinance No. 3360, passed November 27, 2017. (Supp. No. 4)

Title 6 Business Licenses and Regulations
Chapter 6.08 Licensing Procedures

Section 6.08.051.1 Prerequisite to issuance of business licenses.

Prior to issuance of a business license by the tax collector, license applications for the following business categories shall be submitted to the specified regulatory departments for their review:

(2) The application for a business license must be presented to the sheriff for review and recommendations in relation to the following businesses as a prerequisite to the issuance of a license:

g. Sale of firearms;

San Marcos Code of Ordinances

Codified through Ordinance No. 2018-1467, adopted October 23, 2018.

Title 5 Business Regulations
Chapter 5.60 Firearms

Section 5.60.040 License Required.

It shall be unlawful for any person to sell at retail, pistols, revolvers and other firearms capable of being concealed upon the person, and hereinafter referred to as concealable weapons, unless such seller has been issued a license by the City Clerk of the City of San Marcos and provided in this chapter.

(a) Application. Application for a license shall be made by the seller to the City Clerk on forms supplied by the City Clerk. Every applicant shall submit to fingerprinting by the Sheriff, which fingerprints will be sent to the Federal Bureau of Investigation, Identification Division, and to the State of California Bureau of Criminal Identification and Investigation for examination, comparison and recording. The City Clerk shall send a copy of the application to the City Building Official. The Building Official shall determine whether the structure, in which the proposed business is to be conducted, meets building code requirements and whether the proposed business conforms to the applicable zoning laws. Upon completion of his investigation, the Building Official shall report to the City Clerk, who shall report to the Sheriff the findings of such

examination. Upon receipt of the Building Official's report of findings upon completion of his own investigation of the applicant, the Sheriff shall recommend approval or denial of the license. Such recommendation to the City Clerk, who shall issue or deny the license according to the Sheriff's recommendation. The business licensed by this chapter shall be carried on only in the building designated in the license.

(b) License Fee. The applicant shall pay a nonrefundable fee for said license the sum of $25.00 to be paid at the time application for the license is made and an annual business license fee as set forth in the business license ordinance to be paid upon approval of the application by the City Clerk. The fee established by the City Clerk shall defray the cost of investigation and issuance of said license.

(c) Form and Term of License. The license shall be in a form prescribed by the City Clerk and the Attorney General and shall be effective for not more than one year from the date of issuance.

(d) Display of License. The license, or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

(e) License Renewal. Said license may be renewed by the seller by making application to the City Clerk not less than 30 days prior to the expiration of the license. All provisions of this section relating to any original license shall apply equally to the renewal of the license.

Section 5.60.050 Records; Secondhand weapons.

If a dealer, licensed by this chapter to sell firearms, shall have offered to him for purchase or for acceptance in trade a used or second hand concealable weapon, he shall first obtain from the person offering such weapon the following information:

(a) Name, address, and physical description of such person.

(b) The description and license number of the vehicle, if any, being driven by such person.

(c) The caliber, manufacturer's name, description, serial number or numbers, initials or other identifying marks of the weapon.

(d) Such other information which may be required by the Sheriff.

The information shall be recorded on forms furnished by the City Clerk and Sheriff and approved by the San Diego Sheriff's Department. At the end of each week such dealer shall file with the Sheriff such completed form with respect to each second hand concealable weapon purchased or taken in trade during such week by such dealer.

Section 5.60.060 Delivery of firearms.

No concealable weapons shall be delivered:

(a) Within five days of the application for the purchase thereof; nor

(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity. When delivered, such concealable weapon shall be loaded and securely wrapped.

Section 5.60.070 Advertising or Display.

No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

San Mateo Code of Ordinances
Codified through Ordinance No. 2018-4 and the July 2018 code supplement.

Title 27 Zoning
Chapter 27.16 Residence Districts

Section 27.16.040 Home occupation.

Home occupations are permitted in dwellings upon approval of a Home Occupation Certificate by the City. All home occupations shall meet the following standards:

(a) Allowable Uses. The home occupation shall be accessory to the primary use of the dwelling as a residence. Allowable uses include offices, professional services, instruction, food preparation, handicrafts, and other similar uses as authorized by the Zoning Administrator. Auto repair and retail sales from the dwelling are prohibited. Businesses selling or renting firearms, as defined by Penal Code Section 12001(b), shall be prohibited unless a special use permit is approved, subject to compliance with the limitations set forth in this section and such other conditions as are established by the special use permit process.

Chapter 27.30 C1 Districts – Neighborhood Commercial

Section 27.30.020 Special uses.

The following uses may also be permitted subject to approval of a special use permit, provided that the use limitations contained in Section 27.30.025, “Permitted and special uses—Twenty-Fifth Avenue Improvement Area,” shall apply to properties in the Twenty-Fifth Avenue improvement Area and the use limitations contained in Section 27.30.027, “Permitted and special uses—Hillsdale Station Area Plan Active Zone,” shall apply to properties in the Hillsdale Station Area Plan Active Zone:

(q) Businesses selling or renting firearms as defined by Penal Code Section 12001(b);

Chapter 27.38 CBD Districts – Central Business District

Section 27.38.030 Special uses.

The following uses may also be permitted if their site locations and proposed development plans are first approved as provided in Chapters 27.06 through 27.12, 27.62, 27.74, 27.78 and 27.80; however, the specific use limitations contained in Section 27.38.110, Required Retail Frontage, shall apply to properties located within the required retail frontage area, as shown in the Downtown Plan:

(22) Businesses selling or renting firearms as defined by Penal Code Section 12001(b);

San Mateo County Code of Ordinances

Codified through Ordinance No. 04801, passed July 10, 2018. (Supp. No. 32, 7-18)

Title 3 Public Safety, Morals and Welfare
Chapter 3.52 Firearms

Section 3.52.010 Definition of "firearms".

Firearms is defined as a cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun or any other weapon of similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 3.52.040 Possession by minor prohibited.

It shall be unlawful for any person under the age of eighteen (18) years to have in his possession in a public place any firearm, except as provided in section 3.52.050 hereof.

Section 3.52.050 Exceptions.

The provisions of section 3.52.040 hereof shall not apply to said persons under the age of eighteen (18) in the following cases:

(a) When said person is in the immediate charge of a parent, guardian, or adult person having the responsibility for the conduct of said person under the age of eighteen (18) years.

(b) When the firearm is unloaded and either: (1) in a dismantled or "take-down" condition or (2) completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

(c) When said person is lawfully hunting pursuant to the provisions of the California Fish and Game Code and in possession of a hunting license issued as prescribed by that code.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding the sum of Five Hundred Dollars ($500.00) or by imprisonment in the County Jail of San Mateo County, for a period not exceeding six months, or by both such fine and imprisonment.

Section 3.52.060 Sale of certain firearms prohibited to minors.

No person shall sell, deliver or transfer ownership to any person under the age of eighteen (18) years any pistol, revolver or other similar weapon capable of being concealed upon the person and designed to discharge a solid projectile propelled by the expansion of a gas.

Section 3.52.070 Adoption of Penal Code Sections 12070 through 12077.

The provisions of sections 12070-12077, inclusive, of the Penal Code of the State of California, pertaining to the licensing of retailers selling pistols, revolvers, and other firearms capable of being concealed upon the person, are hereby adopted in the County of San Mateo and from and after the effective date of this ordinance shall be in full force and effect in this County.

Section 3.52.080 Sheriff, Duties.

The Sheriff of San Mateo County is hereby designated and appointed the duly constituted licensing authority of this County for the purpose of this ordinance. All applications for licenses under the foregoing Penal Code sections shall be made to the Sheriff and he is hereby authorized to grant licenses, effective for one year from the date of issue, to enforce within the unincorporated area of this County the provisions of sections 12070-12077 of said Penal Code, and to obtain and, where necessary, to prescribe forms effectuate the purposes of said sections and to otherwise do all acts and things required to make effective and to enforce within this County the provisions of sections 12070-12077 of the California Penal Code.

Section 3.52.090 Definitions.

The following definitions govern the construction of this chapter:

(a) "Firearm" shall mean any device, designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or other form of combustion.

(b) "Firearm ammunition" shall mean any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

(c) "Firearm ammunition component" shall mean any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used in the manufacture of ammunition.

Section 3.52.110 Licenses, Conditions.

Licensees shall be subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

(1) The business shall be carried on only in the building designated in the license.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read.

(3) No pistol or revolver shall be delivered:

> **(a)** Within three days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor
>
> **(b)** Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

(4) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

(5) Deleted.

(6) The licensee shall not deliver a firearm to a purchaser, lessee or other transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked container.

(7) The licensee shall not sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm.

Section 3.52.120 Copies of register sheet, disposition of.

Licensees shall, immediately upon receiving an application for purchase, mail a copy of the register sheet required to be maintained to the Bureau of Criminal Identification and Investigation and to the Sheriff, as required by Penal Code section 12076. The Sheriff shall, upon receiving said copy, investigate and report to said retailer whether or not the purchaser is known to be a minor under the age of eighteen (18) years or within one of the classes of persons prohibited by section 12021 of said Penal Code from owning or possessing such weapon. Such persons are narcotics addicts, persons convicted of felonies and persons not citizens of the United States.

If any section, provision, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, and the Board of Supervisors hereby declares that it would have passed this ordinance irrespective of such validity or unconstitutionality.

Section 3.52.200 Possession and sale of firearms by county law enforcement officials.

(A) All firearms issued to county law enforcement officials shall be accompanied by a safety trigger lock.

(B) No county law enforcement official shall sell, trade, give or otherwise transfer any firearm owned or possessed by the County of San Mateo.

(C) Notwithstanding subdivision (B) above, the County may sell any firearm owned or possessed by the County to another law enforcement agency, provided that the Sheriff has determined the firearm to be surplus property and the sale is otherwise permissible under applicable state and federal law.

(D) Notwithstanding subdivision (B) above, the County may sell to any active Deputy, Sergeant, Lieutenant, Captain, Assistant Sheriff, Undersheriff, and Sheriff their County owned or possessed (department issued service firearm), provided that the Sheriff has determined the firearm to be surplus property and the firearm purchaser signs an agreement not to subsequently transfer the firearm except to the County.

San Pablo Code of Ordinances
Codified through Ordinance No. 2018-005, passed October 15, 2018.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.04 Business Licenses and Fees

Section 5.04.295 Sales of firearms.

Every person who engages in the business of selling, transferring, or leasing firearms shall pay a license fee as determined by City Council Resolution. Such resolution shall be published in the same manner and within the same time as ordinances are required to be published.

Title 9 Public Peace, Morals and Welfare
Chapter 9.10 Sales of Firearms and Munitions

Section 9.10.020 Permit Required.

A. It shall be unlawful under this Chapter for any person to engage in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offer or expose for sale, transfer or lease, any firearm unless he or she has been issued a license as required by this chapter. “Engage in the business” means the conduct of a business by the selling, leasing, or transferring of any firearm; or the preparation for such conduct of business, as evidenced by the application for or securing of applicable state or federal licenses; or the holding of oneself out as engaged in the business of selling, transferring, or leasing of any firearms; or the selling, transferring or leasing of firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.

B. Such license shall consist of a permit issued by the police chief after a determination by the police chief that the applicant meets the standards for obtaining a permit based on the criteria contained herein.

C. A person shall not be deemed licensed to sell firearms until that person has obtained both the permit from the police chief and a use permit for the business site from the city planning commission.

Section 9.10.030 Manner of application—Fees.

An applicant for a permit under this chapter shall file with the police chief an application in writing, under penalty of perjury, on a form to be furnished by the city or as information requested to demonstrate compliance with this chapter, including a floor plan of the proposed business which illustrates the applicant’s compliance with the security provisions of Section 9.10.080D of this chapter. The application shall also include a certification by the City’s Community Development Department that the business will not be located in a zoning district in which the operation of firearms business is prohibited by law. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state and local laws, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee for administering this chapter, to be established by resolution of the City Council.

Section 9.10.040 Investigation by the chief of police.

The police chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The police chief may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the police chief, and any other additional information which the police chief deems necessary to complete the investigation.

Section 9.10.050 Grounds for denial of permit.

The police chief shall give the applicant written notice of the chief’s decision to deny or revoke the application. The notice shall set forth the ground or grounds for the chief’s decision, and shall inform the applicant that he or she has ten (10) days from the date the notice was mailed within which to file a written request for a hearing with the chief. The police chief shall issue a permit unless he finds one or more of the following:

A. The applicant, or an officer, employee or agent thereof, is under the age of twenty-one (21) years;

B. The applicant is not licensed as required by all applicable federal or state laws, or the operation of the business as proposed will not comply with all applicable federal, state, and local laws, including, but not limited to any of the following:

1. The applicant has failed to provide a copy of his or her valid federal firearm’s license.

2. The applicant has failed to provide a valid seller’s permit issued by the State Board of Equalization.

3. The applicant has failed to provide a copy of his or her valid Certificate of Eligibility issued by the Department of Justice;

C. The applicant's inventory does not conform to the type of federal or state firearms permit issued to the applicant;

D. The applicant, or an officer, employee or agent thereof, has had a similar type permit previously revoked or denied for good cause within the immediately preceding two (2) years;

E. The applicant, or an officer, employee or agent thereof, has knowingly made any false or misleading statement of a material fact in the application for a permit;

F. The applicant, or an officer, employee or agent thereof, fails or refuses to provide clear evidence of his or her identity, or any other information required by the police chief to complete his investigation;

G. The applicant, or an officer, employee or agent thereof, has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable federal, state and local laws.

2. Any offense relating to the manufacture, sale, possession, use of registration of any firearm or dangerous or deadly weapon.

3. Any offense involving the use of force or violence upon the person of another.

4. Any offense involving theft, fraud, dishonesty or deceit.

5. Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by the State Health and Safety Code, as it may be amended from time to time;

H. The applicant, or any officer, employee or agent thereof, is currently or has been within the last two years, an unlawful user of any controlled substance as defined by the State Health and Safety Code, as it may be amended from time to time, or is an excessive user of alcohol, to the extent that such use would impair his fitness to be a dealer in firearms;

I. The applicant, or any officer, employee or agent thereof, is within the classes of person defined in California Welfare and Institutions Code Sections 8100 or 8103 as they now read, or may hereafter be amended to read.

Section 9.10.060 Grounds for revocation.

In addition to any provisions contained in this chapter, any circumstances constituting grounds for denial shall also constitute grounds for revocation.

Section 9.10.070 Hearing.

A. Any person whose application for a permit has been denied, or whose permit has been revoked by the police chief, shall have the right to a hearing before the police chief prior to the final denial or revocation of the permit.

B. Within ten days of mailing of the written notice of intent to deny the application, or revoke the permit, the applicant may appeal by requesting a hearing before the police chief. Such a request must be made in writing and must set forth the specific grounds for the appeal. If the applicant files a timely request for a hearing, the police chief shall set a time and place for the hearing within thirty days thereafter. The decision of the police chief to deny the application shall be in writing and shall be rendered within ten (10) days of the hearing.

C. An applicant may appeal the police chief's denial or revocation of a permit to the city manager by filing a written appeal with the city manager.

Section 9.10.080 Police chief permit conditions.

The permit issued by the police chief shall be deemed to contain the following terms and conditions, unless otherwise indicated on the permit:

A. The permittee shall conduct business only in the premises designated in the permit. This requirement, however, shall not prohibit the permittee from participating in gun shows of events which are specifically authorized by federal and state law upon compliance with federal and state law.

B. The permit issued by the police chief, or a copy thereof, certified by the police chief, shall be displayed on the premises and at gun shows where it can be easily seen.

C. No firearms shall be delivered:

1. Within fifteen days of the application for the purchase, or within fifteen days after submitting corrected copies of the register or any fee required by state Penal Code Section 12076, which ever is later, or within any timelines otherwise set forth in Penal Code §§ 12071(b)(3) or 12072(c)

2. Unless unloaded and securely wrapped or in locked container which is fully enclosed and securely locked by a padlock or similar locking device as required by state Penal Code Section 12026.1.

3. Unless the purchaser or transferee presents clear evidence of his or her identity and age, as required by Penal Code § 12071(c)(1)

4. If the permittee is notified by the State Department of Justice that a purchaser is in a prohibited class described in State Penal Code Sections 12021 or 12021.1 or State Welfare and Institutions Code Sections 8100 or 8103.

D. All firearms kept in the licensed place of business shall be stored using one of the following methods as to each particular firearm:

1. Store the firearm in a secure facility that is a part of, or that constitutes, the licensee's business premises.

2. Secure the firearm with a hardened steel rod or cable of at least one-eighty inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

3. Store the firearm in a locked fireproof safe or vault in the licensee's business premises.

4. As used in this section, a "**secure facility**" means a building that meets all of the following specifications:

a. All perimeter doorways shall meet on the following:

(i) A windowless steel security door equipped with both a deadbolt and a doorknob lock.

(ii) A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of five inches or more measured in any director, the window shall be covered with steel bars of at least one-half inch diameter or metal grating of at least nine gauge affixed to the exterior or interior of the door.

(iii) A metal grate that is padlocked and affixed to the licensee's premises independent of the door and doorframe.

b. All windows are covered with steel bars.

c. Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

d. Any metal grates have spaces no larger than six inches wide measured in any direction.

e. Any metal screens have spaces no larger than three inches wide measured in any direction.

f. All steel bars shall be no further than six inches apart.

5. Upon written request from a permittee, the police chief may grant an exemption from compliance with this sub-paragraph D if the permittee is unable to comply with these requirements because of local ordinances, covenants, lease conditions, or similar circumstances not under the control of the permittee.

E. No pistol, revolver, or other firearm capable of being concealed upon the person or imitation thereof, or placard advertising their sale or other transfer, shall be displayed in any part of the premises where it can readily be seen from the outside.

F. Permittee shall properly and promptly process firearms transactions pursuant to State Penal Code Section 12082.

G. Permittee shall keep a register of sales as required by State Penal Code Sections 12073 and 12077.

H. Permittee shall not sell, deliver or transfer any pistol, revolver or other firearm capable of being concealed upon the person to any person under twenty-one years of age or any other firearm to any person under eighteen years of age.

I. Permittee shall post conspicuously within the licensed premises, all charges and fees required by Penal Code § 12071(b)(11), and the following warning in block letters not less than one inch in height:

"IF YOU LEAVE A LOADED FIREARM WHERE A CHILD OBTAINS AND IMPROPERLY USES IT YOU MAY BE FINED OR SENT TO PRISON."

J. No pistols, revolvers or firearms capable of being concealed upon the person shall be delivered unless the purchaser or transferee presents to the permittee a basic firearm safety certificate.

K. Permittee shall offer to provide the purchaser or transferee of a firearm a copy of the pamphlet described in State Penal Code Section 12080 and may add the cost of the pamphlet, if any, to the sales price of the firearm.

L. Permittee shall report the loss or theft of any firearm that is merchandise of the permittee, any firearm that the permittee takes possession of pursuant to Penal Code § 12082, or any firearm kept at the permittee's place of business within forty eight (48) hours of discovery to the San Pablo Police Department.

Section 9.10.090 Permit assignment.

The assignment or attempt to assign any police chief permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign shall render the permit null and void.

Section 9.10.100 Liability insurance.

A. No permit shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the City deems proper, executed by an insurance company approved by the City whereby the applicant or permittee is insured against liability for all activities of the permittee, including damage to property and for injury to or death of any person. The minimum liability limits shall not be less than one million dollars ($1,000,000) combined, single limit personal injury and property damage for each occurrence. The insurance shall be occurrence based insurance. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, addressed in care of the Chief of Police, Five Alvarado Square, San Pablo, CA 94806, at least thirty (30) days immediately prior to the time such cancellation becomes effective. Upon expiration of any such policy and if no additional insurance has been secured prior to the expiration thereof in the manner provided for the initial securing of a permit under this chapter, the permit shall be deemed cancelled without further notice or opportunity to he heard.

B. Such policy of insurance shall name the City, its officers, agents, and employees as additional insured. Additionally, applicant and permittee, as a condition of issuance of any permit under this Chapter, agree to indemnify, defend and hold harmless the City, its officers, agents, and employees, from any claims arising from the negligence of the applicant or permittee.

Section 9.10.110 Expiration of police chief permit.

A. Police chief permits shall expire one year after the date of issuance. Such permits may be renewed by the police chief for additional one year periods upon the permittee's submission of an application for renewal, accompanied by a non-refundable renewal fee as established by City Council Resolution. The completed renewal application and the renewal fee must be received by the police chief no later than forty-five (45) days prior to the expiration of the current permit.

B. The police chief shall inform the city planning division manager when a permit expires or is revoked, or when renewal is denied by the police chief so that proceedings to revoke the use permit can be initiated.

C. A decision by the police chief regarding renewal of the permittee's police chief permit may be appealed in the manner provided for in Section 9.10.070.

Section 9.10.120 Use permit application.

When the applicant has obtained a police chief permit, the applicant may apply to the city planning department for a planning commission use permit pursuant to Title 17 of this code. The applicant shall provide all information requested by the planning department. No use permit application shall be deemed complete until the applicant has shown possession of a valid police chief permit for such use.

Section 9.10.130 Possessory interest in the property.

No application for a use permit shall be processed until the applicant provides proof satisfactory to the city planning department that the applicant, officer, employee or agent thereof is the owner of record of the real property at which the proposed business will be conducted, or has a lease, license or other entitlement to operate such business at such location and the written consent of the owner of record of such real property.

Section 9.10.140 Site restrictions.

No use permit may issue for any location which is:

A. Within a zoning district in which residential use is the principal permitted or maintained use. Notwithstanding anything to the contrary in this Code, home occupation permits for the conduct of any business under this chapter shall be prohibited. The location of such businesses in and around homes is hereby declared a public nuisance. This section is expressly made retroactive to all such businesses operating in such residential zones.

B. Within any zoning district in which general retail sales commercial activities is not a permitted or conditional use.

C. Within 500 feet of the exterior limits of a dealer in firearms, a bar, or a liquor store. For the purposes of this chapter, a bar is defined as an establishment who's primary purpose is, or whose primary source or revenue is from, the sale of alcoholic beverages for consumption on the premises. Liquor store is defined as an establishment whose primary purpose is, or whose primary source of revenue is from, the sale of alcoholic beverages for consumption elsewhere.

D. Within 500 feet of the exterior limits of any premises occupied by a public or private day care center or day care home, elementary school, junior high school or high school, whether public or private.

E. All distances referred to in this section shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a permittee occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied.

F. Businesses governed by the provisions of paragraphs C and D of this section, which are in full compliance with all local, state and federal laws prior to the effective date of this chapter, including but not limited to zoning and business license laws, shall not be required to obtain a use permit unless such businesses lose their non-conforming use status as provided in Chapter 17.08. Such businesses shall, however, be required to comply with all other provisions of this chapter.

Section 9.10.150 Use permit conditions.

All use permits approved by the city planning commission shall be deemed to contain all of the following terms and conditions, unless otherwise indicated on the permit:

A. The possession of a valid police chief permit.

B. The possession of all licenses and permits required by federal or state laws.

C. Compliance with all of the terms and conditions contained in Section 9.10.080.

D. Compliance with all of the requirements of the City's Building Code, the Fire Code, and any other technical code or regulation of the city which may govern the use, occupancy, maintenance, construction or design of buildings or structures. The use permit shall also contain a condition that the applicant must obtain a final inspection from the city building official demonstrating full code compliance before the applicant may commence business at the premises at issue.

E. A method of storage of inventory which is explosive or flammable at the proposed business site shall be in compliance with federal and state law and with the city's Fire Code.

F. All other conditions deemed by the planning commission to be necessary and proper to protect the public interest and welfare.

Section 9.10.160 Authority to inspect.

Any applicant for a use permit or police chief permit under this chapter shall be deemed to expressly consent and grant to any investigation officials of the city the right to enter the premises for which the use permit and police chief permit was obtained, without a warrant, from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, and health regulations, as well as the provisions of this chapter and all applicable federal, state and local law. Such right to enter and inspect without a warrant shall be deemed a condition of approval of any permit issued under this chapter.

Section 9.10.170 Revocation of use permit.

If the police chief, building official, or any other person has reason to believe that the permittee is not in full compliance with any conditions imposed pursuant to this chapter, a report shall be made to the city planning official. After an investigation of the facts contained in the report, the city planning official may commence proceedings to revoke the use permit pursuant to Title 17 of this code.

Section 9.10.180 Compliance.

Any person who sells, transfers, leases, or advertises for sale, transfer or lease, or offers or exposes for sale, transfer or lease, any firearm on and after the effective date of this chapter shall have a period of 60 days after such effective date to comply with the provisions of this chapter, except as provided in Section 9.10.140(F).

San Rafael Code of Ordinances

Codified through Ordinance No. 1963, adopted October 1, 2018. (Supp. No. 30, Update 2)

Chapter 8.38 Regulation of Firearms Dealers

Section 8.38.010 Definitions.

For the purpose of this chapter, the words set forth in this section shall have the meaning assigned to them unless from the context it appears that a different meaning is intended:

(a) "Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by force of explosion or other means of combustion.

(b) "Firearms dealer" and **"licensee"** means any person licensed to sell, lease or transfer firearms pursuant to California Penal Code Section 12071(a)(1).

Section 8.38.020 Permit required.

It is unlawful for any firearms dealer to sell, lease or transfer firearms without a permit issued by the police chief or his or her designee.

Section 8.38.025 Application.

(a) An applicant for a permit or renewal of a permit under this chapter shall file with the police chief an application in writing, signed under penalty of perjury, on a form prescribed by the police chief. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including:

(1) The name including any aliases or prior names, age and address of the applicant;

(2) The applicant's Federal Firearms License and California Firearms Dealer numbers;

(3) The address of the proposed location for which the permit is required, together with the business name, and the name of any corporation, partnership, or association that has any ownership in, or control over, the business, if any;

(4) The names, ages and addresses of all persons who will have access to or control of workplace firearms, including, but not limited to, the applicant's employees, agents and/or supervisors, if any;

(5) Proof of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

(6) A floor plan of the proposed business, which illustrates the applicant's compliance with security provisions, as outlined in Section 8.38.040 of this chapter;

(7) Proof of compliance with any applicable city zoning requirements;

(8) Proof of compliance with all federal and state licensing laws;

(9) Information relating to every license or permit to sell, lease, transfer, purchase, or possess firearms which were sought by the applicant from any jurisdiction in the United States, including, but not limited to, the date of each application and whether it resulted in the issuance of a license; and the date and circumstances of any revocation or suspension;

(10) Applicant's agreement to indemnify, defend and hold harmless the city, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees arising in any manner out of the applicant's negligence or intentional or wilful misconduct;

(11) Certification of satisfaction of insurance requirements;

(12) The date, location, and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(b) The application shall be accompanied by a nonrefundable processing and administration fee, in an amount to be set by the city council by resolution, as provided in Chapter 3.34 of this code.

Section 8.38.030 Investigation by police chief.

The police chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The police chief shall require an applicant, or any officer, agent or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the police chief, and any other additional information which the police chief considers necessary to complete the investigation.

Section 8.38.035 Conditions of approval.

In addition to other requirements and conditions of this chapter, a permit by the police chief is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the permit by the police chief:

(a) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event that is authorized by federal, state and local law upon compliance with that law and upon compliance with any applicable city ordinance regulating the permissible locations of gun shows.

(b) The police chief s permit or a certified copy of it shall be displayed on the premises and at gun shows where it can be easily seen.

(c) The applicant shall not permit any person under eighteen (18) years of age to enter or remain within the premises without being accompanied by the parent, grandparent or legal guardian where the firearm sales activity is the primary business performed at the site.

Section 8.38.040 Requirement of a secured facility.

Firearms dealers must comply with California Penal Code 12071(b)(14), which provides that at any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(A) Store the firearm in a secure facility, as defined by Penal Code Section 12071(c)(3), that is part of, or that constitutes, the licensee's business premises;

(B) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises; or

(C) Store the firearm in a locked fireproof safe or vault on the licensee's premises.

Section 8.38.045 Liability insurance.

(a) No permit issued by the police chief shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the city's risk manager and executed by an insurance company approved by the city, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than one million dollars ($1,000,000.00) for each incident of damage to property or incident of injury or death to a person.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the city's risk manager at least thirty (30) days prior to the time the cancellation becomes effective.

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained immediately, the permit is considered canceled without further notice.

Section 8.38.050 Issuance of permit, Duration.

(a) The police chief may issue a permit to the applicant if he or she finds that the applicant complies with all applicable federal, state and local laws including but not limited to, the state Penal Code, the city Building Code, the city Fire Code, and the city zoning ordinance.

(b) A permit issued by the police chief expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable renewal fee in the amount set by resolution of the city council as provided in Chapter 3.34 of this code. The renewal application and the renewal fee must be received by the police chief no later than forty-five (45) days before the expiration of the current permit.

(c) A decision regarding issuance or renewal of a permit may be appealed in the manner provided pursuant to Section 8.38.067.

Section 8.38.060 Grounds for permit denial.

The police chief shall deny the issuance or renewal of a permit when one or more of the following conditions exist:

(a) The applicant has not complied with the requirements of this chapter or, has violated the provisions of Section 8.37.060 of this code pertaining to prohibited activity in connection with the sale, display or transfer of "saturday night specials."

(b) The applicant, or any officer, employee or agent thereof who will have access to and control of firearms is under twenty-one (21) years of age;

(c) The applicant is not licensed as required by federal and state law;

(d) The applicant or any officer, employee or agent thereof who will have access to and control of firearms has had a license or permit to sell, lease, transfer, purchase or possess firearms from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five (5) years.

(e) The applicant or any officer, employee or agent thereof who will have access to and control over firearms has made a false or misleading statement of a material fact or omission of a material fact in the application for the permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five (5) years.

(f) The applicant or any officer, employee or agent thereof who will have access to and control over firearms has been convicted of:

> **(1)** An offense which disqualifies that person from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code section 12021;

(2) An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon;

(3) An offense involving the use of force or violence upon the person of another with a deadly weapon;

(4) Any felony, misdemeanor burglary or misdemeanor fraud;

(5) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code, as it now reads or may hereafter be amended to read.

(g) The applicant or any officer, employee, or agent thereof who has control over firearms is within a class of persons defined in Welfare and Institutions Code Sections 8100 or 8103.

(h) The applicant or any officer, employee, or agent thereof who has control over firearms is currently, or has been within the past five (5) years, an unlawful user of a controlled substance as defined by the Health and Safety Code;

(i) The operation of the business as proposed would not comply with federal, state or local law regulating the sale of saturday night specials, or the locations of permitted sales, if any, at gun shows.

Section 8.38.065 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a police chief's permit also constitute grounds for revocation.

Section 8.38.067 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the police chief has the right to a hearing before the police chief before final denial or revocation.

(b) Within ten days of the mailing of written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the police chief. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the police chief shall set a time and place for the hearing within thirty (30) days.

(c) The decision of the police chief shall be in writing within ten days of the hearing. An applicant may appeal the decision of the police chief to the city manager or his or her designee in the manner provided by the resolution adopted by the city council which addresses this appeal process.

Sec. 8.38.068 Non-assignability.

A police chief's permit issued under this chapter is not assignable. An attempt to assign a police chief's permit renders the permit void.

Section 8.38.069 Compliance by existing firearms dealers.

A person engaging in firearm sales activity on the effective date of this chapter or any amendment to it shall, within sixty (60) days after the effective date, comply with this chapter and any amendment to it.

Section 8.38.080 Violations and penalties.

(a) Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00) or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person.

(b) Any person found to be in violation of the provisions of this chapter shall be subject to the revocation of his or her permit to sell, lease or transfer firearms.

(c) In addition to any other penalty or remedy, the city attorney may commence a civil action to seek enforcement of the provisions of this chapter.

Title 14 Zoning
Division I General Provisions
Chapter 14.03 Definitions

Section 14.03.030 Definitions.

"Firearms dealer" means any person licensed to sell, lease or transfer firearms pursuant to California Penal Code Section 12071(a)(1).

"Gun shop" means an establishment or person engaged in the sale, lease or transfer of firearms pursuant to California Penal Code Section 12071(a)(1).

Division II Base District Regulations
Chapter 14.05 Commercial and Office Districts

Section 14.05.020 Land use regulations (GC, NC, O, C/O, R/O, FBWC).

P: Permitted by right; C: Conditional use permit; CZ: Conditional use permit/zoning administrator; A: Administrative use permit; Blank: Not allowed.

Table 14.05.020

Type of Land Use	GC	NC	O	C/O	R/O	FBWC*	Additional Use Regulations
Retail							
Gun shops	C					C	See Chapter 14.17 standards.

Section 14.05.022 - Land use regulations (4SRC, CSMU, HO, 2/3 MUE, 2/3 MUW, WEV, 5/M R/O).

P: Permitted by right; C: Conditional permit/planning commission; CZ: Conditional use permit/zoning administrator; A: Administrative use permit; Blank: Not allowed.

Table 14.05.022

Type of Land Use	4SRC	HO	CSMU	2/3 MUE	2/3 MUW	WEV	5/M R/O
Retail							
Gun shops	C		C	C	C	C	

Division IV Regulations Applying In All or Several Districts
Chapter 14.16 Site and Use Regulations

Section 14.16.220 Home occupations.

C. Uses that are Prohibited. The following uses by the nature of the business or operation have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations or cannot operate in compliance with applicable licensing requirements or the home occupation performance standards and thereby substantially impair the use and value of a residential area for residence purposes (e.g., the use would generate impacts on the surrounding neighborhood that are more frequent than that usually experienced in an average residential occupancy in the district under normal circumstances wherein no home occupation exists. This may include but not be limited to a home occupation that would generate traffic associated with the business outside of normal daytime business hours or on Sundays, or other impacts not typically associated with a home occupation use such as excess vehicle parking or storage of materials or equipment). Therefore the uses specified below, and any use determined by the community development director to be similar in its operations or potential impacts, shall not be permitted as home occupations:

m. Firearms dealer;

Chapter 14.17 Performance Standards

Section 14.17.075 Gun shops.

A. Purposes. Performance standards related to gun shops are intended to ensure the public safety by requiring such shops to provide adequate security as well as appropriate hazardous materials storage.

B. Applicability. Performance standards for gun shops apply in all districts where gun shops are allowed. Compliance with performance standards shall be reviewed through the administrative use permit process.

C. Standards.

1. Police Department Review. Security and public safety measures shall be provided to the satisfaction of the police department.

2. Fire Department Review. Appropriate hazardous materials storage measures shall be provided to the satisfaction of the fire department.

3. Compliance with Other Laws. Approval of the requested permit is contingent upon demonstration of compliance with applicable provisions of state and federal laws. All gun shops shall be operated according to state and federal regulations.

4. Location. No gun shop shall be located within three hundred (300) feet of a day care facility, church, or school. The three hundred (300) feet measurement shall be from lot line to lot line.

San Ramon Code of Ordinances

Codified through Ordinance No. 474, passed October 24, 2017. (Supp. No. 21)

Division B7 Public Peace, Morals and Welfare
Chapter XII Firearms

Section B7-248 Possession of firearms, pellet guns and similar weapons by minors.

No minor shall possess or use any of the following listed firearms, weapons and/or instruments except under the direct supervision and control of the minor's parent or legal guardian, or an adult authorized by said parent or legal guardian.

A. Any firearm or weapon which propels a projectile of any size by explosive force;

Section B7-249 Sale of ammunition to minors prohibited.

No person shall sell or give to any minor any ammunition capable of being used in any firearm, BB gun, pellet gun, airguns or gas-operated guns unless the minor is accompanied by his or her parent or legal guardian, or an adult authorized by said parent or legal guardian.

Sand City Code of Ordinances

Codified through Ordinance No. 18-01 and August 2018 code supplement.

Title 9 Public Peace, Morals and Welfare
Chapter 9.16 Commercial Sale of Firearms

Section 9.16.010 Definition.

The term **"firearms"** as used in this chapter, shall include, not by way of limitation, handguns, rifles, shotguns, gas or air guns, spring-loaded guns and other weapons coming under the definition of firearms as defined in the Penal Code of the State.

Section 9.16.020 Conditions for sales—Permits.

No person shall sell, display for sale, or store preparatory for sale any firearm within the City limits unless said person has fully complied with all of the following conditions:

A. The seller shall hold a federal firearms permit and shall meet all of the provisions of the Gun Control Act of 1968.

B. The seller shall have obtained a permit from the Chief of Police authorizing the storage of the firearms within the City. The permit shall be renewable annually and shall be issued only upon the showing that the seller has a federal firearms permit and has taken steps to insure the safety of his or her firearms from burglary or theft. The Chief of Police shall have the right in conjunction with the building inspector to require as a condition for the issuance of a permit structural changes to the building in which the firearms are sold or stored, including the installation of burglar alarms and other warning devices.

C. The City permit and the federal firearms permit shall be displayed at the location for which it is issued in a prominent place.

Section 9.16.030 Fee.

The fee for the issuance of an annual permit shall be twenty-five dollars ($25.00). The annual fee shall be paid at the time application is obtained from the City Clerk and in the event a permit is not issued, the sum of twenty-five dollars ($25.00) shall be refunded to the applicant.

Section 9.16.040 Exemption for Private Sales.

Private persons selling their own firearms and not engaged in the commercial sale of the same shall be exempted from the purview of this chapter. For the purpose of this chapter, a person selling three (3) or more firearms in any calendar year shall be conclusively deemed to be engaged in the commercial sale of firearms and shall be required to comply with the terms of this chapter.

Sanger Code of Ordinances

Codified through Ordinance No. 2018-03, adopted August 2, 2018. (Supp. No. 14)

Chapter 18 Businesses
Article II Licenses
Division 3 Requirements for Firearms and Munitions Dealers

Section 18-111 Purpose.

It is the purpose of this division to establish, as authorized by Penal Code 12071, a local licensing process for persons engaged in the business of selling, transferring or leasing firearms and munitions and related activities.

Section 18-112 Definitions.

The following words and phrases, whenever used in this division, shall be construed as defined in this section:

Engaged in the business means conducting a business for the sale, transfer or lease of firearms or munitions; or preparing for the conduct of such business as evidenced by the securing of applicable federal or state licenses; or holding out of one's self as engaged in the business of selling, transferring or leasing firearms or munitions; or selling, transferring or leasing of firearms or munitions in quantity, in series or in individual transactions, or in any other manner indicative of trade, including as a pawnbroker.

Firearm means a device designed or modified to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion.

Firearms dealer means a person engaged in the business of selling, transferring, leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm or munitions and who holds a Federal Firearms License.

Munitions means a projectile or explosive substance for use with a firearm.

Pawnbroker means a person whose business or occupation includes the taking or receiving, by way of pledge or pawn, any firearm or munitions as security for the payment or repayment of money.

Person means a natural person, association, partnership, firm, cooperative, corporation, or other business entity.

Section 18-113 License required.

It shall be unlawful for a person to engage in the business of operating or managing a business which sells, transfers, leases, offers or advertises for sale, transfer or lease, any firearm or munitions without first obtaining a firearms dealer license from the city. The license required by this division shall be in addition to any other permits or licenses required by law.

Section 18-114 Application, Forms, fees.

An applicant for a license under this division shall file with the chief of police an application in writing and under penalty of perjury, on a form to be furnished by the city. The applicant shall provide all information required, including proof of compliance with all applicable federal, state and local laws and ordinances. The application shall be accompanied by a nonrefundable fee as established by council resolution.

Section 18-115 Same, Investigation.

The chief of police shall conduct a thorough investigation of the applicant. The chief of police may require such additional information from the applicant as he may deem necessary in order to complete the investigation. The investigation shall be completed within 30 days unless circumstances exist justifying an extension of time. A written determination of time needed to complete the investigation shall be provided to the applicant prior to expiration of the 30-day period.

Section 18-116 Same, Denial.

The chief of police shall deny the license application when any of the following conditions exist:

(1) The applicant is under the age of 21 years;

(2) The applicant does not possess a valid Federal Firearms License, a valid sellers' permit from the state board of equalization, a valid certificate of eligibility from the state department of justice, and all other licenses required by applicable federal, state and local laws and ordinances;

(3) The applicant has had a local firearms license previously revoked or denied for good cause within the immediately preceding two years;

(4) The applicant has made a false or misleading statement of a material fact or omission of a material fact in the application for the license;

(5) The applicant has been convicted of:

a. Any criminal offense(s) which disqualifies the applicant, or an officer, employee or agent thereof, from owning or possessing a firearm under applicable federal, state and local laws and ordinances;

b. Any felony offense relating to the manufacture, sale, possession, use or registration of any firearm or dangerous or deadly weapon;

c. Any felony offense involving the use of force or violence upon the person of another;

d. Any criminal offense involving theft, fraud, dishonesty, or deceit;

e. Any felony offense involving the manufacture, sale, possession or use of any controlled substance as defined by the California Health and Safety Code, as said definition now reads or may hereafter be amended to read;

(6) The applicant is an unlawful user of any controlled substance as defined by the California Health and Safety Code, as such definition now reads or may hereafter be amended to read, or is an excessive user of alcohol to the extent that such use impairs his or her fitness to be a dealer in firearms;

(7) The applicant has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which impairs his or her fitness to be a dealer in concealable firearms;

(8) The operation of the business as proposed will not comply with all applicable federal, state or local laws and ordinances, including the zoning and fire protection codes of the city; and

(9) The applicant does not have, and/or cannot provide evidence of a possessory interest in the property at which the proposed business will be conducted. When the property is leased or rented, the applicant shall provide written consent from the owner of record of the property to conduct such business at the property.

Section 18-117 Security.

In order to discourage the theft of firearms or munitions stored in the premises of a firearms or munitions dealer, any person licensed under this division must adhere to security measures as required by the chief of police. Security measures may include some or all of the requirements set forth in Penal Code 12071(b)(14), and shall include the following:

(1) The provision of secure locks, windows, doors and safes, and adequate lighting and alarms as specified by the chief of police; and

(2) Storing of all firearms or munitions on the premises out of the reach of customers in a secure locked manner, so that access to firearms and munitions shall be controlled by the dealer or employees of the dealer, to the exclusion of all others.

Section 18-118 License, Form.

All licenses issued pursuant to this division shall be in a form prescribed by the attorney general of the state.

Section 18-119 Same, Duration; renewal.

All licenses issued pursuant to this division shall expire one year after the date of issuance, or automatically upon the revocation or expiration of the licensee's federal firearms license, whichever is earlier. Licenses may be renewed by the chief of police for additional periods of one year upon approval of an application for renewal and payment of a nonrefundable renewal fee. Such renewal application must be completed and received by the chief of police no later than 45 days prior to the expiration of the current license. Renewal applications may be denied consistent with section 18-116.

Section 18-120 Same, Assignment.

The assignment or attempt to assign a license issued pursuant to this division is unlawful and any such assignment or attempt to assign a license shall render the license null and void.

Section 18-121 Same, Conditions.

Licenses issued pursuant to this division shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the license:

(1) The business shall be carried on in the building located at the street address shown on the license. The licensee shall notify the chief of police in writing within ten days of any change in business location. Any such relocation shall require a new inspection to ensure compliance with this division. A nonrefundable reinspection fee will be charged.

(2) The licensee shall comply with the California Penal Code, 12071, 12072, 12073, 12074, 12077, 12082, to the extent that such provisions are in effect.

(3) The licensee shall maintain records of all employees engaged in the sale, lease, transfer or delivery of firearms or munitions, identifying them by name, address, date of birth and social security number. The licensee shall notify the chief of police in writing within ten days of any change in employees and submit the required identifying information for each newly hired employee.

(4) The licensee shall maintain and keep records of all ammunition sales, including the name, address and age of the purchaser, the date of sale, the amount of ammunition sold and the type of ammunition sold.

(5) The licensee shall comply with the requirements of this division.

Section 18-122 Same, Revocation.

In addition to section 18-121, any provisions constituting grounds for denial of a license shall also constitute grounds for revocation of a license.

Section 18-123 Same, Hearing.

(a) Any person whose application for a license or license renewal under this division has been denied, or whose license has been suspended or revoked pursuant to the provisions of this division, shall have the right to a hearing before the chief of police or a designee prior to final denial, suspension or revocation.

(b) The chief of police shall give the applicant or licensee written notice of intent to deny the application or to suspend or revoke the license. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to suspend or revoke the license, and shall inform the applicant or licensee that he or she has ten days from the date of receipt of the notice to file a written request with the chief of police for hearing on the proposed denial, suspension or revocation. The application may be denied or the license suspended or revoked if a timely written request for hearing is not received by the chief of police within the ten-day period.

(c) If the applicant or licensee files a timely hearing request, the chief of police shall set a time and place for the hearing. The applicant or licensee shall have the right to offer relevant evidence on the issues, to be represented by counsel, and to confront and cross examine witnesses against him/her. Any person beneficially interested in the application or license may appeal the chief of police decision to the city council.

Section 18-124 Same, Appeals.

(a) The appeal shall be in writing and shall be filed with the city clerk no later than 15 days after the date of written notice to the applicant or licensee of the chief of police's decision. The appeal shall state in detail all factual and legal bases for the appeal.

(b) An appeal fee shall be paid at the time of filing the appeal. The fee shall consist of a processing fee plus an estimate of the actual cost to the city for conducting the appeal. The processing fee shall accompany the request for appeal. The appeal fee shall be set by resolution of the city council.

Section 18-125 Indemnification.

The license shall provide that the licensee is obligated to indemnify, defend and hold harmless the city and its officers, agents and employees, from and against all claims and liabilities arising from the negligence or wrongful conduct of the licensee respecting the sale, use, rental, transfer, or dealing in firearms and/or munitions.

Section 18-126 License, Authority to inspect.

The license shall provide that any and all investigating officials, including police and fire investigators of the city, shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections and to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, safety or health regulations, provisions of this division, and all federal, state and local laws and ordinances.

Section 18-127 Compliance.

Persons engaged in the business of selling, transferring, leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, firearms or munitions as of the effective date of this division, shall have a period of 60 days after such effective date to comply fully with the provisions of this division.

Section 18-128 Temporary suspension of firearms dealer license.

(a) The chief of police may immediately suspend a license in the event the licensee violates any federal, state, county or city law or ordinance relating to firearms or involving firearms. This temporary suspension will not exceed three days. If the violation results in a criminal charge filed by a federal, state or county district attorney, the license to sell firearms or munitions may be suspended until the case is finally adjudicated.

(b) Notice of suspension shall be mailed to the person(s) who made application for the license and shall be delivered to the address listed on the license.

(c) The licensee may appeal the suspension consistent with the procedures set forth in sections 18-123 and 18-124.

Santa Ana Code of Ordinances
Codified through Ordinance No. 2944, adopted May 1, 2018. (Supp. No. 19)

Chapter 8 Buildings and Structures
Article II Building Code
Division 3 Building Security Regulations

Section 8-211 Special commercial building provisions.

(s) Establishments having specific type inventories shall be protected by the following alarm service:

1. Silent alarm system with a central station hook-up and required twenty-four-hour supervised service:

b. Any establishment manufacturing, storing or selling firearms and ammunition.

Chapter 10 Crimes & Miscellaneous Law Enforcement Provisions
Article II Minors

Section 10-176. Possession of firearms or ammunition by a minor.

(a) No minor shall possess any firearm or ammunition in a public place.

(b) No person shall sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned, any firearm or ammunition to any person under the age of 18 years.

(c) For the purpose of this section, the term "firearm" means any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.

(d) For the purpose of this section, the term ammunition means any unexpended cartridge or shell, consisting of a case which holds a charge of powder and a bullet or shot, or any device containing any explosive designed and intended for use in any firearm, or any device containing any explosive.

(e) Nothing in this section shall prohibit the possession of any firearm by a minor at a bona fide firing range or in an automobile vehicle while enroute to or from hunting any game animal that may be legally hunted under the provisions of the Fish and Game Code, provided said minor has the written permission of his parent or guardian to have such firearm or is accompanied by his parent or guardian while he has such firearm in his possession.

Article IX Licensing of Firearms Sales

Section 10-501 Definitions.

As used in this article the following terms shall have the following meanings:

Chief of police means the chief of police of the City of Santa Ana and any employee within the Santa Ana Police Department who is designated by the chief of police to act as his representative in the implementation of this article.

Penal Code means the Penal Code of the State of California, as it may from time to time be amended.

License and licensee mean the license required by § 12070 of the Penal Code of the State of California and the person holding such a license, unless the context shows that a different type of license is meant. Other terms used in this article shall have the same meanings as set forth in the Penal Code.

Section 10-502 Chief of police as licensing authority.

The chief of police is the duly authorized licensing authority for licenses granted pursuant to §§ 12070 and 12071 of the Penal Code.

Section 10-503 Fixed place of business required.

Each licensee must have a fixed place of business and possess all permits, licenses, certificates, variances or other instruments of approval or evidences that any conditions exist for the sale of firearms as required by any other section of this Code or by any statute or code provisions of the state. Except as may otherwise be provided by the Penal Code, all sales of firearms may only be made at said fixed location.

Section 10-504 Branch establishments; multiple places of business; separate licenses required.

A separate firearm seller's license fee must be paid and a separate firearm seller's license obtained for each branch establishment of the business transacted and carried on within the city.

Section 10-505 Overlapping business.

If in addition to the business of selling firearms any person shall engage in, conduct, manage, or carry on at the same time and on the same premises any other business requiring any permit, license, certificate, variance or other instrument of

approval or evidence that any conditions exist as required by any other section of this Code or by statute or code provisions of the state, such person shall comply with all of the provisions affecting each business.

Section 10-506 Licensee responsible for the conduct of the business.

It shall be the duty of the licensee to see that no firearms are sold or offered for sale in violation of this article or the Penal Code.

Section 10-507 Retention and maintenance of sales information and sales records; inspection.

(a) All firearm and ammunition sales information and sales records shall be retained for a period of 3 years and shall be maintained and stored within the licensed location during normal business hours. All such records shall be maintained in an orderly manner, consistent with federal, state and local laws and shall be located so that all records are immediately and readily accessible for inspection in a specific space allocated for record retention.

(b) All sales information and records relating to sales of firearms and/or ammunition shall be made available to any police officer or other duly authorized representative of the chief of police upon request. Stock in trade shall likewise be made available for inspection as appropriate to allow for comparison of such stock with business records. No licensee shall attempt to dissuade or impair said officers' or duly authorized representative's inspection.

Section 10-508 Evidence of doing business as a seller of firearms.

When any person shall by the use of signs, circulars, cards, telephone books, newspapers, or trade publications, advertise, holdout, or represent that he or she is a seller of firearms, or when any person holds an active license, certificate, or permit issued by a governmental agency indicating that he or she is a seller of firearms within the city and such person fails to deny in a sworn statement given to the chief of police that he or she is not a seller of firearms within the city, after being requested to do so by the chief of police, then these facts shall be considered prima facie evidence that such person is a seller of firearms within the city.

Section 10-509 Rules and regulations.

The chief of police shall adopt and enforce, by rules and regulations, security requirements for the protection from theft of firearms and ammunition sold and maintained by the licensee. Such rules may require that licensee provide burglar alarm systems, separate storage areas for ammunition and other measures designed to prevent the theft of such merchandise from the premises of licensee. The chief of police shall also have the power to adopt other rules and regulations not inconsistent with the provisions of this article as may be necessary or desirable to aid in the enforcement of the provisions of this article.

Section 10-510 Term and renewal of licenses.

Licenses issued pursuant to the provisions of this article, unless sooner revoked, suspended or canceled, shall be effective for a period of 1 year from the date of issuance; and may be thereafter renewed annually. Applications for renewal shall be treated as applications for an initial license and shall be subject to all applicable provisions of this article. Applications for renewal shall be filed with the chief of police not later than 30 days before the expiration of the current license.

Section 10-511 Application for license.

(a) An application for a license shall be filed with the chief of police on forms furnished by the chief of police. Such application shall be accompanied by a fee in an amount established by resolution of the city council, and shall contain the following information:

> **(1)** The name, date of birth, driver's license number, social security number, fictitious business name or names under which the applicant is registered to operate, business and residence address of the applicant, if a natural person, or if a corporation, its name, date and place of incorporation, federal employer identification number, address of its principal officers, together with their respective residence addresses; or if a partnership, association or unincorporated company, the fictitious name or names under which the partnership is registered to operate, the names of the partners, driver's license numbers, social security numbers, of the persons comprising such association or company, and the business and residence of each partner or person;
>
> **(2)** The business, occupation, or employment history of the applicant for 3 years immediately preceding the date of the application; including, if applicable, the applicant's business license and police permit history;
>
> **(3)** All criminal convictions or proceedings in which a plea of guilty or nolo contendere was entered;
>
> **(4)** Such other identification and information as the chief of police deems necessary to carry out the purposes of this article.

(b) The application submitted shall be accompanied by copies of the following licenses, permits, and certificates:

> **(1)** A valid federal firearms license issued in the name of applicant.

(2) A valid seller's permit issued by the State Board of Equalization in the name of applicant issued for the city.

(3) A valid certificate of eligibility issued by the California Department of Justice.

(4) A valid city business license issued for the retail sale of firearms.

(5) A statement of zoning code compliance in accordance with subsection (c) of this section.

(c) Any person who desires to obtain a license pursuant to this article may request a statement of zoning code compliance from the planning manager. Any such request shall be in writing and shall specify the location as to which the license will pertain and the nature of the activities to be conducted at that location by the licensee if the license is granted. The planning manager or his or her designated representative may require such additional information as may be necessary to determine whether the conduct of such activities at such location complies with the requirements of Chapter 41 of this code. If the planning manager or his or her designated representative determined either (i) that such activities at such location will comply with said Chapter 41 without the necessity of any permit, variance or other entitlement of use pursuant to that chapter, or (ii) that any such necessary permit, variance or other entitlement of use has been granted, the planning manager or his or her designated representative shall sign and deliver to the chief of police, with a copy to the person requesting it, a statement of zoning code compliance.

Section 10-512. Denial of license application.

The chief of police, within 30 days from the date a completed application is filed or longer upon a showing of good cause, shall cause an investigation of the applicant, and the application for a license may be denied within such period of time on any of the following grounds:

(1) The applicant is a person under the age of 18 years;

(2) The applicant is unable to provide any of the items required by subsection (b) of § 10-511.

(3) The applicant, his agent or employee, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager has committed or aided or abetted in the commission of any act or act of omission which if committed by a permittee would be grounds for suspension or revocation of a license; or

(4) The applicant, his agent or employee, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager has been refused a license or had a license revoked or has been an officer, director, member, partner or manager of any corporation or partnership which has been refused a license or had a license revoked.

Section 10-513. Notice of denial of license.

The chief of police, within the period of time specified in § 10-512, shall notify the applicant of his intention to deny an application for a license. Service of such notice shall be made personally or by United States mail. The notice shall include the reasons for denial and be accompanied by a statement that the applicant may request a hearing in accordance with § 10-516 within 10 days of the date of the notice. In the absence of any such request for hearing the denial shall become final upon the expiration of the 10-day period.

Section 10-514. Suspension or revocation of license, Generally.

The chief of police may, in his discretion or upon the verified complaint in writing of any person, investigate the actions of any licensee and may temporarily suspend for a period not to exceed 90 days or revoke the license of any licensee who commits any 1 or more of the acts or omissions specified in § 10-515. The chief of police shall notify the applicant of his intention to suspend or revoke the license. Service of such notice shall be made personally or by United States mail. The notice shall include the reasons for suspension or revocation and be accompanied by a statement that the applicant may request a hearing in accordance with § 10-516 within 10 days of the date of the notice. In the absence of any such request for hearing the decision to suspend or revoke the license shall become final upon the expiration of the 10-day period.

Section 10-515 Same, Grounds.

It shall be grounds for suspension or revocation of a license if any licensee, or his or her agent or employee, or any person connected or associated with the licensee as partner, director, officer, stockholder, general manager, or person who is exercising managerial authority of or on behalf of the licensee does any of the following:

(1) Knowingly makes any false, misleading or fraudulent statement of a material fact in an application for a firearm license, or in any report or record required to be filed with the police department.

(2) Commits any act or omission which is grounds for forfeiture of a license under § 12071 of the Penal Code.

(3) Violates any statute pertaining to the sale, lease or transfer of firearms.

(4) Fails to maintain in effect the licenses, permits, certificates and zoning code compliance required by subsection (b) of § 10-511.

Section 10-516 Hearing by the chief of police; appeal.

(a) Upon receipt of a request for hearing as provided in this article, the chief of police shall notify licensee by United States mail of the time and place of such hearing. Such hearing shall be held within 30 days after the chief of police's receipt of request for hearing, unless the licensee waives this time period in which case the hearing may be held on a later date. Any hearing, once commenced, may be continued by the chief of police or at the request of the licensee. At the conclusion of such hearing, the chief of police may render a decision which shall become effective immediately; or in the alternative, the chief of police may elect to render a written decision which shall be furnished the licensee by United States mail not less than 10 days following the conclusion of the hearing. Such written decision shall become effective 5 days after the date of mailing of the notice.

(b) The decision of the chief of police may be appealed in accordance with the provisions of Chapter 3 of this Code, and the licensee shall have the burden of proving that the decision rendered by the chief of police was unreasonable, erroneous or a clear abuse of discretion.

Section 10-517 New application after denial or revocation of firearm seller's license.

When the firearm seller's license of any person is revoked for cause, no new or other application for a firearm seller's license from the same person shall be accepted within 1 year after such revocation. When an application for a firearm seller's license is denied for cause, no new or other application for a firearm seller's license from the same person shall be accepted within 1 year after denial unless the applicant can show a material change in his or her situation which would justify the issuance of such firearm seller's license.

Section 10-518 Contents of license.

All licenses shall be prepared and issued by the chief of police upon the approval of the applicant's application and payment to the city of the required fee. Each license so issued shall state upon the face thereof the following:

(1) The license number of the firearm seller's license.

(2) The date of expiration of such license.

(3) The persons to whom such license is issued, and where such persons are doing business under a fictitious name; both the actual and fictitious names to whom such license is issued.

(4) The situs address at which licensee is approved to conduct business.

(5) The State Board of Equalization seller's permit number issued to licensee.

(6) The federal firearms license number issued to licensee.

(7) The Department of Justice certificate of eligibility number issued to licensee.

(8) Any additional statement the chief of police may deem necessary or which the state may require.

Section 10-519 Use of license by unlicensed person.

No person holding a license required by this article shall permit any other person to use the license, the licensed premises or the licensee's name for the purpose of evading any provision of this article.

Section 10-520 Duplicates.

A duplicate license may be issued to replace any license previously issued hereunder which has been lost or destroyed upon the licensee filing a statement of such fact, and, at the time of filing such statement, paying a duplicate license fee equal to 10% percent of the original fee for the firearm seller's license.

Section 10-521 Posting.

Every licensee shall keep the license prominently posted in a conspicuous and public place upon the premises specified in the license where such business is carried on. All other federal, state, and city licenses, certificates, and permits relative to conducting the business of firearm sales shall likewise be posted together with the firearm seller's license.

Section 10-522 Prohibition of display of suspended or revoked license.

No person shall reproduce, duplicate, copy or alter an original firearm seller's license for the purpose of circumventing the requirement of this section by giving a false or misleading impression that any duplication of an original license is valid and that the appropriate fee therefor has been paid; neither shall any person exhibit a suspended or revoked license.

Section 10-523 Transferability.

(a) Licenses shall not be transferable except as provided in this section.

(b) When a business for which a license has been issued is sold or transferred to 1 of the transferees listed in this section, the chief of police may endorse a change of ownership on such license upon written application by the transferee. Only the following transferees or successors shall be entitled to such transfer of permit.

(1) Duly qualified representatives of licensees regularly appointed by courts of competent jurisdiction, assignees for the benefit of creditors, and spouses or children of deceased licensees;

(2) The surviving partner or partners of a dissolved partnership;

(3) A new partnership consisting of the members of a predecessor partnership, plus their spouse or spouses of any such members;

(4) A new corporation organized and controlled by an individual or unincorporated licensee for the purpose of acquiring, and which has acquired the assets of the business previously owned and operated by such licensee;

(5) Upon dissolution of a closely held corporation, the stockholders to whom the assets are distributed.

(c) A transferee or successor entitled to a transfer of a license must file an application for such transfer with the chief of police within 30 days after he assumes [ownership or control] of the business. The chief of police may require such evidence of the transfer of ownership or control as he deems necessary. A fee equal to 20% of the original fee for the license shall accompany the application.

(d) The chief of police shall transfer the license to an applicant entitled to such transfer unless he finds that the transfer will adversely affect the peace, health, safety, and general welfare of the public or that the transferee does not possess the qualifications required of original applicants.

Section 10-524 Change of location.

Where no conflict exists with the city's zoning regulations, as evidenced by a new statement of zoning code compliance pursuant to subsection 10-511(c), a change of location may be endorsed on a firearm seller's license by the chief of police upon written application by a licensee, accompanied by a change of location fee equal to 20% of the original fee for the firearm seller's license shall accompany the application.

Section 10-525 No refund upon termination of business.

The license fee paid under the terms of this article is not refundable upon termination of a business or for any unused portion or term of a license period.

Section 10-526 Right of entry.

The chief of police or any police officer shall have the power and authority to enter the premises of any business engaging in firearms sales, leases or transfers for which a license is required during business hours, free of any charge, and at such other times as may be reasonable following due process of law, and request a display of the required license together with any other federal, state, and city licenses, certificates, and permits relative to conducting the business of firearm sales. No person having custody or control of such place of business shall fail to comply with any such request.

Section 10-527 Penalty for violation.

Every violation of the provisions of this article shall be deemed to be a misdemeanor, and upon conviction thereof shall be punishable as provided for in § 1-8 of this Code. Each day any violation of any said provision of this article shall constitute a separate offense.

Santa Barbara Code of Ordinances

Codified through Ordinance No. 5858 and the December 2018 code supplement.

Title 9 Public Peace and Safety

Chapter 9.36 Sale of Firearms

Section 9.36.010 Definitions.

For the purposes of this chapter, the following words and phrases when used in this chapter shall have the meanings respectively ascribed to them by this section:

"**Business**" means retail and not wholesale business.

"**Convicted**" means entry of plea of guilty, or found guilty by court or jury.

"**Firearms**" means any gun, rifle, shotgun, pistol, revolver or any other device which projects a missile by an explosive type of ammunition, including, but not limited to, firearms capable of being concealed upon the person.

"**Permit**" means any permit issued under and as provided in this chapter.

"**Permittee**" means any person issued a permit under the provisions of this chapter

Section 9.36.020 Purpose of chapter.

This chapter is an exercise of the Police power of the City for the protection of the safety, welfare, health, peace and morals of the peoples of this City, and to eliminate the evils of unregulated and unlawful selling at retail of firearms as a business.

Section 9.36.030 Enforcement.

The Tax and Permit Inspector and the Police Department are hereby designated the enforcing agencies of this chapter.)

Section 9.36.040 Certain persons not permitted to sell, transfer, etc.

No permittee under this chapter shall permit anyone, to whom the transfer of any firearm is prohibited, to sell, deliver, lease, rent or in any manner transfer any firearm.

Section 9.36.090 Delivery of firearms to minors prohibited.

No person engaged in the business of selling or otherwise transferring firearms shall sell, deliver, lease, rent or in any manner transfer, furnish, give or cause to be sold, delivered, leased, rented, transferred, furnished or given any firearm to any person under the age of 18 years. Members of businessman's immediate family are excepted.

Section 9.36.100 Criminal prosecution for violation of section 9.36.090 - admissible evidence.

In any criminal prosecution or proceeding for violation of Section 9.36.090, proof that the defendant permittee, or his or her agent, demanded and was shown immediately prior to the sale or transfer of any firearm bona fide documentary evidence of sufficient age and identity shall be a defense to the prosecution. A bona fide identity card issued by a Federal, State, County or municipal government or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act or identification card issued to a member of the armed forces, shall be deemed to be documentary evidence for the purpose of this chapter.

Section 9.36.110 Refusal to sell without bona fide evidence of age.

A permittee under this chapter may refuse to sell, or otherwise transfer, a firearm to any person who is unable to produce bona fide documentary evidence that he or she has attained the age of 18 years.

Section 9.36.120 False evidence of age.

No person shall offer to any permittee under this chapter, his or her agent or employee, any documentary evidence of age or identity which is false, fraudulent or not actually his or her own for the purpose of procuring any firearm or ammunition therefor, the sale or other transfer of which would be prohibited under this chapter by the permittee.

Section 9.36.130 Sale of ammunition to certain persons prohibited - Exception.

No person, whether or not such person is engaged in the business of selling ammunition for firearms, shall sell ammunition for any firearm to any person to whom the sale or transfer of any firearm using such ammunition is prohibited under this chapter. Minors with written consent of their parent or legal guardian are excepted.

Section 9.36.160 Dealings without permit prohibited.

No person without holding a current permit as provided in this chapter shall engage in the business of selling or otherwise transferring or advertising for the sale of any firearms.

Section 9.36.170 Permit application - Form - Approval.

An application for the permit required by the preceding section shall be made on a form obtainable from, and filed with, the Tax and Permit Inspector, together with the application fee required by Section 9.36.180. Applications shall be in the form prescribed by the Chief of Police and Tax and Permit Inspector. Each application shall be approved by the Chief of Police prior to issuance of a permit.

Section 9.36.180 Permit application - Fee.

An application fee of $25.00 is required to accompany each application required by Section 9.36.170 to cover the costs of investigation and processing. Such fee is not refundable in the event the permit required by this chapter is denied. The application fee is to be paid to the Tax and Permit Inspector of the City. Business establishments having more than one location shall be required to pay one application fee only for all locations.

Section 9.36.190 Permit application - Issuance or denial - Appeal.

An application for a permit required by this chapter shall be deemed approved, unless written notice is deposited in the regular course of mails within 60 days of the filing of the application in the Office of the Tax and Permit Inspector to the applicant, that the application is denied. In the event that an application is denied, the applicant may appeal to the City Council pursuant to the provisions of Section 1.30.050 of this code.

Section 9.36.200 Issuance - Approval of police chief.

Upon approval of the application by the Chief of Police or upon approval as provided in Section 9.36.190, the Tax and Permit Inspector shall issue a permit; provided, that all applicable license fees have been paid by the applicant.

Section 9.36.210 Duration - Grounds for revocation.

Permits required by this chapter shall be effective for one year, and shall be subject to renewal annually upon application 30 days prior to date of expiration, and approval by the Chief of Police. A renewal fee of $10.00 shall be required with each such application. Any permit issued pursuant to this chapter may be revoked by the Tax and Permit Inspector upon recommendation of the Chief of Police for breach of any of the following conditions:

A. The business shall be carried on only on premises designated in the permit;

B. The permit or a copy of the permit, certified by the issuing authority, shall be displayed on the premises where it can easily be read;

C. No pistol or revolver shall be delivered unless all of the following conditions are complied with:

1. Within five days of the application for the purchase,

2. Unless the same shall be unloaded and securely wrapped, and

3. Unless the purchaser either is personally known to the seller or shall present bona fide documentary evidence of his or her identity;

D. No pistol or revolver or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside;

E. The happening of any event or the performance of any subsequent act which would render the permittee a person to whom a permit cannot be issued in the first instance;

F. The misrepresentation of a material fact by any applicant in obtaining any permit. Section 9.36.220 Persons to Whom Permits May Not be Issued.

Section 9.36.220 Persons to whom permits may not be issued.

In no event shall a permit required by this chapter be issued to any of the following persons:

A. Persons who are prohibited from possessing firearms capable of being concealed upon the person under the provisions of Section 12021 of the State Penal Code;

B. Anyone convicted of any violation of any provision of the law of the State dealing with the unlawful use of narcotic, hypnotic or dangerous drugs or under similar laws of the United States;

C. Anyone not of good moral character;

D. Anyone under the age of 21 years. Section 9.36.230 Prior Revocations of Permit - Application.

Section 9.36.230 Prior revocations of permit - Application.

Application for permits may not be made by any person who has had a permit revoked within three years of the date of the application, nor shall any application be made by any person if any other person whose permit has been revoked within three years has a financial interest in excess of 25% in the business for which the application is made.

Section 9.36.240 Permit nontransferable.

No permit issued under the provisions of this chapter shall be transferable to any person. No person shall attempt or purport to effect such a transfer.

Section 9.36.250 Permit suspension for violation.

Upon any violation of Section 9.36.040, 9.36.090, or 9.36.130, the Tax and Permit Inspector upon recommendation of the Chief of Police may suspend any permit issued under this chapter, for a period of seven days upon the first violation and for 21 days upon a second violation. Upon any third or subsequent violation, the permit may be revoked

Santa Barbara County Code of Ordinances

Codified through Ordinance No. 5051, enacted July 17, 2018. (Supp. No. 35, Update 3)

Chapter 14B Firearms, Handguns

Section 14B-1 Firearm defined.

(a) A pistol, revolver, and firearm capable of being concealed upon the person, as defined in subdivision (a) of section 12001 of the Penal Code;

(b) Any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion as defined in subdivision (b) of section 12001 of the Penal Code;

(c) The term firearm includes the frame or receiver of any such weapon;

(d) For purposes of this chapter the term firearm does not include an unloaded firearm which is defined as an antique firearm in section 921(a)(l6) of title 18 of the United States Code or a curio or relic, as defined in section 178.11 of title 27 of the Code of Federal Regulations.

Section 14B-2 Purpose and intent of chapter.

The purpose and intent of this chapter is to designate the tax collector of the County of Santa Barbara as the duly constituted licensing authority to grant licenses permitting an applicant to sell firearms in the unincorporated area of this county, pursuant to title 2, chapter 1, article 4 of the California Penal Code.

Section 14B-3 Application procedure for license to sell.

Application for a license to sell firearms shall be made and conducted in the following manner:

Application for license effective for one year from the date of issue shall be on forms made available by the tax collector and prescribed by the attorney general of the State of California.

Section 14B-4 Application for license to generally.

Notwithstanding any provision in this Code to the contrary, upon payment of the fee fixed therefor in section 22-74 (Handgun dealers), the tax collector shall issue and renew a license to sell firearms in the form prescribed by the attorney general of the State of California pursuant to Penal Code, section 12071 if, and only if, all the following conditions are satisfied:

(a) The applicant is eighteen years of age, or over;

(b) The applicant has not been convicted of any crime involving the illegal use or possession of any weapon described in Penal Code section 12020 or Penal Code section 12022;

(c) The applicant has not been adjudicated a mentally incompetent person or has not been adjudicated to be a member of a class of persons subject to proceedings pursuant to the Lanterman-Petris-Short Act contained in section 5001, et seq. of the Welfare and Institutions Code;

(d) The applicant has not wilfully failed to disclose any material information required in the application;

(e) The applicant has not made any false statement as to any material fact in connection with the application;

(f) The applicant is not in violation, at the time of issuance or renewal of the license, of any of the provisions of this chapter, or of any conditions contained in any license to sell handguns previously issued to the applicant pursuant to this chapter, or contained in Penal Code section 12071; and

(g) The sale of firearms at the locations specified in the application is not prohibited by any provision of the zoning laws or ordinances of the county.

Section 14B-5 Approval or denial of application for license to sell.

The tax collector shall approve or deny the application for the license to sell firearms within a thirty-day period commencing on the date such application is received. The tax collector shall provide the applicant with written notice of the grounds for his intended denial pursuant to section 22-53 of this Code. If the tax collector fails to act within the thirty-day period specified in this section, the applicant may request a hearing pursuant to division 4 of chapter 22 of this Code.

Section 14B-6 Revocation procedure for license to sell.

(a) The tax collector shall revoke a license to sell firearms if the licensee violates any condition contained in this chapter, in Penal Code, section 12071 or in the license sought to be revoked.

(b) The tax collector shall notify the licensee in writing of such revocation. The notice shall specify the grounds for revocation and the right of the licensee to apply for a hearing before the board within five days after receipt of such notice.

(c) If the tax collector revokes a license, the effective date of such revocation shall be stayed until notice by the clerk of the board of the determination following any hearing requested by the licensee pursuant to division 4 of chapter 22 of this Code.

Santa Clara Code of Ordinances
Codified through Ordinance No. 1988, passed October 9, 2018.

Title 9 Public Peace, Morals and Welfare
Chapter 9.05 In General

Section 9.05.080 Minors – Possession of certain weapons without parental consent prohibited.

It shall be unlawful for any minor under the age of sixteen (16) years to have in his/her possession any pistol, or other weapon capable of receiving any charge, cartridge or explosive unless by the written consent of his/her parent or guardian.

Section 9.05.090 Sale of weapons to minors without request of parents, etc., prohibited.

It shall be unlawful within the city for any person to sell, dispose of or give to any minor under the age of eighteen (18) years any pistol, air gun or other weapon capable of receiving and discharging any charge, cartridge or explosive without the written request of his/her parent or guardian.

Santa Clara County Code of Ordinances
Codified through Ordinance No. 5051, enacted July 17, 2018. (Supp. No. 35, Update 3)

Title B Regulations
Division B19 Firearms
Chapter I Firearms Licenses

Section B19-1 License required.

(a) This division shall be interpreted in accordance with Part 4, Title 2, Chapter 1, Article 4 of the Penal Code of California (Penal Code 12070 et seq.).

(b) Within the unincorporated area of the County, no person shall engage in the business of selling or transferring firearms, or offering or exposing firearms for sale or transfer, unless that person has been issued a license as provided herein.

(c) The license requirement shall not apply to the infrequent sale, lease or transfer, offering, exposing for sale, lease or transfer, or advertising for sale, lease or transfer of firearms. As used in this section "infrequent" means:

(1) For pistols, revolvers and other firearms capable of being concealed upon the person, less than six transactions per calendar year. For this purpose, "transaction" means a single sale, lease or transfer of any number of pistols, revolvers or other firearms capable of being concealed upon the person.

(2) For firearms other than pistols, revolvers or other firearms capable of being concealed upon the person, occasional and without regularity.

Section B19-2 Application for license.

Written applications for a license under this division shall be filed with the Sheriff upon forms to be provided.

Section B19-3 Investigation by Sheriff and Planning Director.

(a) Upon receipt of an application for a license under this division, the Sheriff shall investigate the facts connected with the application and shall not approve the application if:

(1) The applicant is not of good moral character, or

(2) The sale of firearms by the applicant would constitute a violation of any state law or provision of this Code.

(b) The Sheriff shall also submit the application to the Director of Planning, who shall not approve the application if the proposed location of the business is not in compliance with the Zoning Ordinance.

Section B19-4 Issuance of license; fee required.

If the application is approved by the Sheriff and the Planning Director, a license shall be issued in the form required by the Attorney General. A fee of $125.00 per year shall be paid at the time of issuance of said license for each place of business.

Section B19-5 Conditions.

The license shall be subject to the conditions contained in Penal Code 12071 and the conditions contained in this division.

Section B19-6 Licenses not transferable.

A license conferred under this division shall not be transferable, either as to the licensee or location of the business.

Section B19-7 Expiration of license; renewal.

A license conferred under this division shall expire at the end of one year, but may be renewed by the holder for the periods of one year upon payment of the fee specified in Section B19-4 of this division and upon the submission of a written renewal application on forms to be provided.

Chapter II Regulation of Firearms and Ammunition on County Property

Section B19-9 Definitions.

In addition to the definitions of Chapter I of Division A1 of this Ordinance Code, the following definitions shall apply:

(a) County Property means any real property, including any buildings thereon, owned or leased by the County, including property owned by the County that is in the possession of a public or private entity under contract with the County to perform a public purpose. County Property includes, but is not limited to, real property owned or leased by the County in the unincorporated and incorporated portions of Santa Clara County, and the Santa Clara County Fairgrounds located within an unincorporated pocket in the City of San Jose. County Property does not include any "local public building" as defined in Penal Code 171b(c) or any successor legislation, where the possession of firearms is regulated pursuant to Penal Code 171b or any successor legislation. County Property also does not include any public right-of-way owned by the County, including any area across, along, on, over, upon, and within the dedicated public alleys, boulevards, courts, lanes, roads, sidewalks, streets, expressways, and ways within Santa Clara County.

(b) Firearm means any gun, pistol, revolver, rifle, or any device that is designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion. "Firearm" does not include imitation firearms, BB guns, or air rifles as defined in Government Code 53071.5 or any successor legislation.

(c) Ammunition means any ammunition as defined in Penal Code 16150 or any successor legislation.

(d) Sale or **Sell** means:

(1) Any transaction, with or without the exchange of consideration, which:

i. Transfers ownership, title, possession, or control of a Firearm, or Ammunition, or both; or

ii. Gives, loans, leases, or delivers a Firearm, or Ammunition, or both.

(3) (2) Includes the act of placing an order for any of the aforementioned transactions, except through a federal firearms licensee.

(e) Locked Container means a secure container that is fully enclosed and locked by a padlock, keylock, combination lock, or similar locking device as defined in Penal Code 16850 or any successor legislation. The term Locked Container does not include the utility or glove compartment of a motor vehicle as defined in Penal Code 16850 or any successor legislation.

(f) Sport Shooting Range or Range means an area designated by the County and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport or law enforcement training purpose as defined in Civil Code 3482.1(a)(2) or any successor legislation.

(g) Gun Buy Back Event means an event organized, sponsored, or hosted by the County, where persons voluntarily turn in Firearms or Ammunition, or both.

Section B19-10 Prohibition on the possession, sale, or discharge of firearms or ammunition on county property.

(a) It shall be unlawful for any person to bring onto or possess a firearm, loaded or unloaded, or ammunition, or both, on county property. This subsection shall not apply where the possession of firearms or ammunition is prohibited by State law.

(b) It shall be unlawful for any person to sell a firearm, loaded or unloaded, or ammunition, or both, on county property. This subsection shall not apply where the sale of firearms or ammunition is prohibited by State law.

(c) It shall be unlawful for any person to discharge a firearm on county property. This subsection shall not apply where the discharge of a firearm is prohibited by State law.

(d) Every person who violates subsection (a), (b), or (c) is guilty of a misdemeanor.

Section B19-11 Exceptions, Ban on possession.

Subsection B19-10(a) does not apply to the following:

(a) A federal, state, or local law enforcement officer, or person assisting a peace officer, when such person is authorized to carry a concealed weapon or a loaded firearm under State law or under 18 U.S.C. section 926B or section 926C or any successor legislation;

(b) A person holding a valid license to carry a Firearm issued pursuant to Penal Code 26150 or any successor legislation;

(c) A security guard or messenger of a financial institution, a guard of a contract carrier operating an armored vehicle, a licensed private investigator, a patrol operator, an alarm company operator, or a uniformed security guard, when such persons are authorized by applicable State or federal law to carry a Firearm and when such persons are engaged in the exercise of their official duties on County Property;

(d) An authorized participant in a motion picture, television, video, dance, or theatrical production, when the participant lawfully uses the Firearm as part of that production, provided that when such Firearm is not in the actual possession of the authorized participant, it is secured to prevent unauthorized use;

(e) A person lawfully transporting Firearms or Ammunition, or both, in a motor vehicle on County roads;

(f) A person lawfully using Firearms or Ammunition, or both, at a Sport Shooting Range operated by the County in accordance with its rules and applicable law; provided, however, that when transiting to or from the designated areas of a Range on County Property, any Firearm must remain unloaded, and that any Firearm or Ammunition, or both, is safely stored in a Locked Container or otherwise secured using a firearm safety device as defined by Penal Code 16540 or any successor legislation;

(g) An honorably retired officer or agent of a law enforcement agency, when authorized to carry a concealed or loaded weapon under State law;

(h) An animal control officer when authorized by applicable State or federal law to carry a loaded Firearm and when engaged in the exercise of official duties on County Property;

(i) An active member of the military forces of the State or of the United States when on duty;

(j) A person bringing or transporting an unloaded Firearm or Ammunition onto County Property to exchange, transfer, or relinquish it to law enforcement, in compliance with any County operated, approved, or sponsored program to purchase, exchange, or otherwise obtain voluntary relinquishment of Firearms or Ammunition, or both, from the public, including a Gun Buy Back Event;

(k) A person delivering unloaded Firearms or Ammunition, or both, as authorized by State or federal law, to or from law enforcement or the public guardian/public administrator;

(l) The public guardian/public administrator when the possession is within the course of its duties;

(m) A person lawfully possessing a Firearm or Ammunition, or both, in a place of residence in accordance with all applicable laws and regulations;

(n) A person lawfully possessing an unloaded Firearm or Ammunition, or both, in the locked trunk of, or inside a Locked Container in, a motor vehicle; or

(o) A hunter with a valid California hunting license in the Alviso Marina County Park when going to or returning from a legal hunting expedition outside the Alviso Marina County Park boundaries; provided, however, that when transiting through County Property, any Firearm must remain unloaded, and that any Firearm or Ammunition, or both, is safely stored in a Locked Container or otherwise secured using a firearm safety device as defined by Penal Code 16540 or any successor legislation.

Section B19-12 Exceptions, Ban on sale.

Subsection B19-10(b) does not apply to the following:

(a) The acquisition or sale of a firearm, or ammunition, or both, by a federal, state, or local governmental entity, including at a gun buy back event; or

(b) The lawful sale of ammunition by the county or its authorized vendor(s) at a sport shooting range, but only so long as the ammunition is at all times kept within the range's premises and used on the premises at the time of purchase. Any unused or excess ammunition that has been sold at the range must remain at the range and cannot be taken off the grounds of the range.

Section B19-14 Public nuisance.

Any violation of this Division is hereby declared a public nuisance and may be abated by the County pursuant to Chapter III of Division A1 of this Code.

Section B19-15 Administrative remedies.

In addition to the civil remedies and criminal penalties set forth above, any violation of this Division may be subject to administrative remedies, as set forth in Division A37.

Santa Clarita Code of Ordinances
Codified through Ordinance No. 18-8, passed June 26, 2018.

Title 17 Zoning
Division 5 Use Classifications and Required Parking
Chapter 17.41 General

Section 17.41.010 General.

B. The following uses shall be designated as follows:

1. Prohibited where the symbol "X" appears;

3. Permitted subject to a conditional use permit (CUP) where the symbol "C" appears;

Chapter 17.43 Commercial Use Types

Section 17.43.010 Commercial Use Types.

21. Retail Sales, Specific											Parking			
Includes establishments primarily engaged in the sale of goods and merchandise. The following are specific retail sales use types:														
k. Gun Stores—includes establishments primarily engaged in the sale of firearms.											1 space per 250 square feet			
NU1	NU2	NU3	NU4	NU5	UR1	UR2	UR3	UR4	UR5	CR	CC	CN	BP	I
X	X	X	X	X	X	X	X	X	X	C	C	X	C	X

Chapter 17.65 Home Occupations

Section 17.65.030 Prohibited Uses.

The following businesses shall not be operated out of a home and shall not be permitted by home occupation permits: alcohol sales, food preparation (not including home-based cottage food operations), firearm and ammunition sales and services, on-site massage therapists, hairdressers, retail sales, vehicle storage, vehicle sales and vehicle repair, vehicle dispatch (taxis, towing, etc.), furniture or cabinet making, commercial kennels, commercial stables, breeding facilities, forensic testing, and the sale, cultivation, manufacturing, testing, and delivery of cannabis or products containing cannabis.

Santa Cruz Code of Ordinances
Codified through Ordinance No. 2018-14, passed October 23, 2018.

Title 9 Peace, Safety and Morals
Chapter 9.26 Firearms Dealers

Section 9.26.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) "Firearm" means any device, designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of any explosion or other form of combustion. The term "firearm" includes, but is not limited to, (1) the frame or receiver of any such weapon, and (2) any rocket, rocket-propelled projectile launcher or similar device containing any explosive or incendiary material, whether or not such device is designed for emergency or distress signaling purposes. The term "firearm" does not include an unloaded firearm which is defined as an "antique firearm" in Section 921(a)(16) of Title 18 of the United States Code or a curio or relic as defined in Section 178.11 of Title 27 of the Code of Federal Regulations.

(b) "Clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a state identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

Section 9.26.030 Letter of authorization.

No person shall engage in the sale, lease, transfer, delivery, advertisement or offer for sale, lease, or transfer any firearm without first obtaining and keeping current a letter of authorization from the local licensing authority.

Section 9.26.040 Application for letter of authorization.

(a) Each person applying for a letter of authorization under this chapter shall submit an application to the Santa Cruz police department which shall serve as the local licensing agency for purposes of this chapter.

(b) In order to obtain a letter of authorization from the police department, the dealer must first provide the following to the police department:

(1) A valid federal firearms license (FFL);

(2) A seller's permit issued by the State Board of Equalization;

(3) A valid certificate of eligibility issued by the Department of Justice;

(4) A list identifying each employee of the applicant (name, address, date of birth and social security number) who will be engaged in the sale, lease, transfer or delivery of firearms;

(5) Payment of a nonrefundable administrative fee, in an amount to be established by city council resolution.

(c) Where the applicant is a corporation, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized corporate officer of said corporation. Where the applicant is a partnership, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized general partner of said partnership. Both the individual and the corporation or partnership shall be liable for any violation of the provisions of this chapter.

(d) The application shall be accompanied by a nonrefundable administrative fee (in the form of a check or cash) as set forth in the schedule of fees established by city council resolution. Each application shall specify only one location at which the sale or transfer of firearms shall take place. If an authorized firearms dealer changes his or her place of business, an application for the new location shall be submitted, accompanied by a nonrefundable fee (in the form of a check or cash) as set forth in the schedule of fees established by city council resolution. That application shall be considered an initial application and not an application for renewal.

Section 9.26.050 Approval by the chief of police.

The chief of police shall have the authority to approve or disapprove the issuance of the letter of authorization. For the purpose of considering requests for letters of authorization, the chief of police shall apply the minimum standards set forth in this chapter. Factors to be considered by the chief of police in approval or denial of the application for a letter of authorization include, but are not limited to:

(a) Evidence of the dealer's compliance with all applicable city, state and federal laws;

(b) Whether applicant has violated any provisions of this chapter;

(c) Whether the applicant has made any false statements as to any material fact in applying for the letter of authorization;

(d) Whether the applicant has done or caused or permitted to be done any act which if done by an authorized firearms dealer would be grounds for suspension or revocation of the letter of authorization;

(e) Whether the proposed business location and site meet the standards and requirements set forth in Section 9.26.080;

(f) Whether the applicant or any of applicant's employees identified pursuant to Section 9.26.040(b)(4) have ever been convicted of a felony. To this end the chief of police or the chief's designee shall conduct a criminal history investigation of each said applicant and employee. The applicant shall pay all fees incurred by the police department in conducting any such criminal history background investigation.

The letter of authorization shall expire on December thirty first of the year in which it is issued.

Section 9.26.060 Denial of application.

If the applicant does not meet all of the written standards, hereinabove set forth, the chief of police shall not issue a letter of authorization to such applicant. It shall be the duty of the chief of police to notify an applicant that his or her application has been denied by serving such person, either personally or by first class United States mail, with a letter setting forth the reason(s) for such denial. The notice, if served by mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the applicant's address of record. The notice shall also inform the applicant of his or her right to a hearing before the city council at which time the applicant may appear, with a representative if so desired, and be heard on the matter. The applicant shall also be given notice that any request for a hearing before the city council must be made in writing to the city clerk within ten days after the date on which such notice is served on the applicant.

Section 9.26.070 Appeal from denial.

An applicant whose application has been denied by the chief of police shall have the right to appeal such decision to the city council in the manner set forth in Chapter 1.16 of this code. The city council shall hold a hearing thereon in the manner set forth at Section 1.16.030 of this code.

Section 9.26.080 Business location and site standards.

Any firearms business operating in the City of Santa Cruz shall meet each of the following business site standards:

(a) The business location must be in compliance with all City of Santa Cruz zoning, building and fire codes and regulations. In addition, any such firearms business shall not be located within six hundred feet of any public or private school in which students aged 18 years or younger are enrolled, within six hundred feet of a childrens' daycare center licensed by the state of California, within six hundred feet of any city park or playground, within six hundred feet of any high risk alcohol outlet as defined at Section 24.22.437 of this code or at any location within the city's R-1 zoning districts.

(b) The business site must be a permanent building having four solid walls and a roof; constructed of wood, metal, cement or like materials and resting on a foundation of cement, stone, brick or metal or similar materials commonly used in the construction of foundations for permanent buildings.

(c) Building doors and windows must be alarmed with a system of any manufacture which will cause an audible alarm to sound on the exterior of the building or a silent alarm to be sent to a centralized monitoring facility signaling unauthorized entry during nonbusiness hours.

(d) All inventory of an explosive or flammable nature must be stored in compliance with federal, state of California and City of Santa Cruz fire codes.

(e) Inventory of firearms must conform to the type of federal firearms license issued to the permittee.

(f) During nonbusiness hours, all firearms shall be kept in a locked metal cabinet or box, or secured in any other manner which is approved by the chief of police.

Section 9.26.090 Business compliance with state law.

(a) Any firearms business operating in the City of Santa Cruz shall obey all city, state and federal laws, and specifically shall comply with the requirements of Section 12071 of the California Penal Code, as may be amended from time to time. The requirements of Section 12071 include, but are not limited to, the following:

(1) The business shall be carried on only in the building designated in the firearms license;

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen;

(3) No firearm shall be delivered within 15 days of the application for purchase or within such other time period as set forth in Penal Code Section 12071;

(4) No firearm shall be delivered unless it is unloaded and securely wrapped or unloaded and in a locked container;

(5) No firearm shall be delivered unless the purchaser presents clear evidence of his or her identity and age;

(6) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside;

(7) No firearm shall be delivered to any person that is prohibited by state or federal law from possessing a firearm;

(8) The authorized firearms dealer shall post conspicuously within the licensed premises the following warning in block letters not less than three inches in height:

IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY ACCESS OF A CHILD, YOU MAY BE FINED OR IMPRISONED, OR BOTH, IF THE CHILD GAINS ACCESS TO AND IMPROPERLY USES, THE FIREARM.

(b) Through June 30, 2002, no firearms dealer in the City of Santa Cruz shall sell, lease or otherwise transfer a firearm without also selling or otherwise providing with each firearm a trigger lock or similar device that is designed to prevent the unintentional discharge of the firearm. Such device shall be of a type approved by the chief of police or the chief's designee. The permittee shall advise the police chief of the type of device he or she intends to sell or distribute at the time of application for the permit, renewal of the permit or at any time the permittee desires to change the type of device previously approved by the chief of police. Current permittees shall advise the police chief of the type of device they intend to sell or distribute within thirty days of the effective date of this section.

(c) Effective July 1, 2002 any firearms business operating in the City of Santa Cruz shall comply with the requirements of Sections 12087 through 12088.9 of the California Penal Code, as may be amended from time to time. The requirements of these sections include, but are not limited to, the following:

(1) All firearms sold or transferred by the business shall include or be accompanied by a firearms safety device that is listed on the Department of Justice's roster of approved firearms safety devices; and

(2) All firearms sold or transferred by the business shall be accompanied with warning language or labels: stating that children are attracted to and can operate firearms which can cause severe injuries or death; urging those in possession of firearms to prevent child access by always keeping guns locked away and unloaded when not in use; and warning that if a child obtains and improperly uses the firearm the person responsible for the firearm may be fined or sent to prison. The word "WARNING" on the label shall be preceded by a yellow triangle containing an exclamation mark.

Section 9.26.100 Maintenance and submission of records.

(a) Each authorized dealer shall maintain records of importation, shipment, receipt, sale or other disposition of firearms and ammunition, and shall make such records available at all reasonable times, and shall submit to the licensing authority such reports and information upon reasonable request. The licensing authority may enter the premises (including places of storage) of any authorized firearms dealer during normal business hours for the purpose of inspecting or examining (1) any records or documents required to be kept; and/or (2) any firearms or ammunition kept or stored at such premises.

(b) The authorized firearms dealer shall notify the Santa Cruz police department in writing within ten days of any change in business location; such relocation shall require a new inspection to ensure compliance with the provisions of Section 9.26.080.

(c) The authorized firearms dealer shall maintain records of all employees, identifying them by name, address, date of birth and social security number. The dealer shall notify the Santa Cruz police department in writing within ten days of any change in employees and submit the required identifying information for each newly hired employee. Failure to comply with this section shall be grounds for revocation of the dealer's letter of authorization.

Section 9.26.110 Letter of authorization renewal.

Every letter of authorization issued under this chapter shall expire on December 31st of the year in which it is issued. Firearms dealers shall submit an application for renewal in person at least ninety days before the expiration of the license. Firearms dealers who apply for renewal shall be required to meet all standards specified in this chapter. All of the requirements and procedures applicable to new applications shall apply to renewal applications. Each renewal application shall be accompanied by the applicable administrative fee.

Section 9.26.120 Letters of authorization nonassignable.

Except as otherwise hereinafter provided, no letter of authorization issued under this chapter may be sold, transferred or assigned by the firearms dealer or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such letter of authorization and such letter shall thereafter be deemed terminated and void.

Section 9.26.130 Suspension and revocation.

Every letter of authorization issued under this chapter shall be subject to summary suspension and revocation by the chief of police if he or she determines that:

(a) The authorized firearms dealer has failed to meet any of the requirements specified under this chapter;

(b) The authorized firearms dealer and/or any employee(s) has violated any of the conditions or provisions of this chapter;

(c) The authorized firearms dealer and/or any employee(s) has violated any provision of federal or state firearms sales laws;

(d) The authorized firearms dealer's federal firearms sales license has been revoked; or

(e) The authorized firearms dealer has committed any act which could have resulted in the denial of issuance of a firearms license.

Section 9.26.140 Notification of suspension or revocation.

It shall be the duty of the chief of police or his or her designee to notify any authorized firearms dealer charged with any violation or misconduct, as described above, by serving such person, either personally or by first class United States mail, with a letter setting forth the particular written standard or condition which has been violated. The letter shall inform such authorized dealer of the right to a hearing before the city council, at which time the authorized dealer may appear with a representative if so desired and be heard in defense of the charges. The authorized firearms dealer shall also be given notice that any request for a hearing before the city council must be made in writing to the city clerk within ten days after the date on which notice is served on the authorized firearms dealer. The suspension or revocation shall be effective on the date the notice is served on the authorized firearms dealer. Such notice, if served by United States mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the authorized firearms dealer's address of record.

Section 9.26.150 Hearing on revocation or suspension.

Upon timely receipt of a written request for a hearing, the city council shall hold a hearing at the time and in the manner set forth in Section 1.16.030 of this code.

Section 9.26.155 Insurance requirement.

Each firearms dealer subject to the requirements of this chapter shall maintain at all times while engaged in said business a policy of public liability insurance. Said policy of insurance shall provide coverage in the amount and to the limits prescribed from time to time by the chief of police in consultation with the city's risk manager. Any such policy of insurance

shall contain an endorsement naming the City of Santa Cruz and its employees as additional insureds and further providing that the insurance policy will not be cancelled without first providing thirty days advance notice to the city. Failure to obtain and maintain insurance as required herein shall constitute grounds for revocation or suspension of the firearms dealer's letter of authorization.

Section 9.26.160 Violations.

It shall be unlawful and a violation of this chapter for any person, corporation, partnership or other entity to operate a retail firearms dealership within the city of Santa Cruz without a valid letter of authorization.

Section 9.26.170 Penalties.

Any person or entity, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter, shall be guilty of an infraction for the first offense, or of a misdemeanor for any subsequent offense(s) occurring within the one year after the first offense. Upon conviction, the person convicted shall be punished in accordance with Chapter 1.08 of this code.

Chapter 9.29. Safe Firearm Storage

Section 9.29.010 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) "Firearm" shall have the same meaning as set forth in Section 9.26.020.

(b) "Locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device.

(c) "Residence" means any structure intended or used for human habitation including but not limited to houses, condominiums, rooms, in-law units, motels, hotels, SROs, time-shares, recreational and other vehicles where human habitation occurs.

(d) "Trigger lock" means a trigger lock that is listed in the California Department of Justice's list of approved firearms safety devices and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device under Penal Code Section 12088(d).

Section 9.29.020 Firearms located in a residence to be kept in a locked container or disabled with a trigger lock.

(a) Prohibition. No person shall keep a firearm within a residence unless the firearm is stored in a locked container or disabled with a trigger lock that has been approved by the California Department of Justice.

(b) Exceptions. This section shall not apply in the following circumstances:

(1) The firearm is lawfully carried on the person of an individual over the age of eighteen.

(2) The firearm is under the control of a person who is a peace officer under Penal Code Section 830.

Section 9.29.030 Penalties.

Any person or entity, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter shall be guilty of an infraction for the first offense, or of a misdemeanor for any subsequent offense(s) occurring within the one year after the first offense. Upon conviction, the person convicted shall be punished in accordance with Section 4.04.010 of this code.

Chapter 9.30. Reporting Lost or Stolen Firearms

Section 9.30.010 Reporting lost or stolen firearms.

(1) Any person that owns or is otherwise in possession of a firearm shall report the theft or loss of such firearm to the Santa Cruz police department within five calendar days of becoming aware of the theft or loss whenever: (a) the owner resides in the city of Santa Cruz; or (b) the theft or loss of the firearm occurs in the city of Santa Cruz.

(2) The failure of an owner or person in possession of a firearm to report the theft or loss of the firearms within five calendar days of when the owner or person in possession becomes aware or should have become aware of the theft or loss shall be punishable in accordance with Section 9.30.020.

(3) The failure of an owner or person in possession of a firearm to report the theft or loss of the firearms in a timely manner shall create a rebuttable presumption that the owner or person remains in possession of the firearm.

(4) In order to encourage reports to law enforcement agencies of lost or stolen handguns pursuant to this section, a person who files a report with a law enforcement agency notifying the agency that a handgun has been lost or stolen shall not be subject to prosecution for violation of Section 9.29.020.

Section 9.30.020 Penalties.

Any person violating any provision of this chapter shall be guilty of a misdemeanor unless it is charged by the city attorney as an infraction and, upon conviction, shall be punishable in accordance with Section 4.04.010.

Santa Cruz County Code of Ordinances
Codified through Ordinance No. 5278, passed October 2, 2018.

Title 5 Business Regulations
Chapter 5.62 Firearms Dealers

Section 5.62.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(A) "Firearm" means a device as defined by California Penal Code Section 16520.

(B) "Clear evidence of his or her identity and age" includes, but is not limited to, a motor vehicle operator's license, a State identification card, an armed forces identification card, an employment identification card which contains the bearer's signature and photograph, or any similar documentation which provides the seller reasonable assurance of the identity and age of the purchaser.

(C) "County license" means a license issued by the local licensing authority pursuant to this chapter authorizing a person to engage in the sale, lease, transfer, delivery, advertisement or offer for sale, lease, or transfer of firearms.

(D) "High risk alcohol outlet" means a retail outlet where alcoholic beverages are sold including: any bar, tavern, liquor store, or convenience store. A bona fide restaurant, wine-tasting room, banquet facility, conference center, brewpub or nightclub (which nightclub does not have an on-sale alcohol beverage control general license Type 48 or 51) shall not constitute a high-risk alcohol outlet.

(E) "Local Licensing Authority" or **"Licensing Officer"** means the County Administrative Officer for the County of Santa Cruz, or his or her designee.

Section 5.62.030 County license.

On and after April 8, 2013, no person required to obtain a Federal Firearms License and a State Department of Justice License to sell firearms, shall establish a business that engages in the sale, lease, transfer, delivery, advertisement or offer for sale, lease, or transfer any firearm without first also obtaining and keeping a current County license issued pursuant to this chapter by the local licensing authority. No person operating under a current Federal and State firearms license as of the effective date of this chapter shall be required to obtain a County license unless and until the State or Federal license lapses, becomes void or is otherwise no longer in effect, or if the business moves to a new location.

Section 5.62.040 Application for County license.

(A) Each person applying for a County license under this chapter shall submit an application to the Local Licensing Authority.

(B) In order to obtain a County license, the applicant must first provide the following to the Licensing Officer:

(1) A valid Federal firearms license;

(2) A valid seller's permit issued by the State Board of Equalization;

(3) A valid certificate of eligibility issued by the Department of Justice;

(4) Documentation that the seller is recorded in the centralized list maintained by the Department of Justice pursuant to California Penal Code Section 26715;

(5) A list identifying each employee of the applicant (name, address, date of birth and Social Security number) who will be engaged in the sale, lease, transfer or delivery of firearms; and

(6) Payment of a nonrefundable administrative fee, in an amount to be established by resolution of the Board of Supervisors.

(C) Where the applicant is a corporation each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized corporate officer of said corporation. Where the applicant is a partnership, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized general partner of said partnership. Both the individual and the corporation or partnership shall be liable for any violation of the provisions of this chapter.

(D) Each application shall specify only one location at which the sale or transfer of firearms shall take place. If any firearms dealer licensed under either Federal, State or local law changes his or her place of business, an application for

the new location shall be submitted, accompanied by a nonrefundable fee (in the form of a check or cash) as set forth in the schedule of fees. That application shall be considered an initial application and not an application for renewal.

(E) Each application shall submit a security plan detailing the specific measures that will be taken to secure and protect the business, including but not limited to those items required by SCCC 5.62.090.

Section 5.62.050 Approval by Licensing Officer.

The Licensing Officer shall have the authority to approve or disapprove the issuance of the County license. For the purpose of considering requests for a County license, the Licensing Officer shall apply the minimum standards set forth in this chapter. Factors to be considered by the Licensing Officer in approval or denial of the application for a County license include, but are not limited to:

(A) Evidence of the applicant's compliance with all applicable County, State and Federal laws;

(B) Whether applicant has violated any provisions of this chapter;

(C) Whether the applicant has made any false statements as to any material fact in applying for the County license;

(D) Whether the applicant has done or caused or permitted to be done any act which if done by an authorized firearms dealer would be grounds for suspension or revocation of the County license;

(E) Whether the proposed place of business meets the standards and requirements set forth in SCCC 5.62.080;

(F) Whether the applicant or any of applicant's employees identified pursuant to SCCC 5.62.040(B)(5) have ever been convicted of a felony. To this end the Sheriff-Coroner shall conduct a criminal history investigation of each said applicant and employee and provide a report for the Licensing Officer. The applicant shall pay all fees incurred by the Sheriff-Coroner in conducting any such criminal history investigation.

The County license shall expire on December 31st of the year in which it is issued.

Section 5.62.060 Denial of application.

If the applicant does not meet all of the written standards, hereinabove set forth, the Licensing Officer shall not issue a County license to such applicant.

It shall be the duty of the Licensing Officer to notify an applicant that his or her application has been denied by serving such person, either personally or by first class United States mail, with a letter setting forth the reason(s) for such denial. The notice, if served by mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the applicant's address of record. The notice shall also inform the applicant of his or her right to a hearing before the Board of Supervisors at which time the applicant may appear, with a representative if so desired, and be heard on the matter. The applicant shall also be given notice that any request for a hearing before the Board of Supervisors must be made in writing to the Clerk of the Board within 10 calendar days after the date on which such notice is served on the applicant.

Section 5.62.070 Appeal from denial.

An applicant whose application has been denied by the Licensing Officer shall have the right to appeal such decision to the Board of Supervisors. The Board of Supervisors shall hold a hearing thereon pursuant to the procedures set forth in SCCC 5.62.150.

Section 5.62.080 Location and site standards.

Any business licensed under this chapter shall be subject to the following locational criteria:

(A) Shall only be located within a zone district designated as C-2, C-4, M-1 or M-2 by the Santa Cruz County Zoning Ordinance.

(B) Shall not be located within 600 feet of:

(1) Any public or private school in which students aged 18 years or younger are enrolled;

(2) Any children's daycare center licensed by the State of California;

(3) Any publicly owned or operated park, playground or recreational area;

(4) Any high risk alcohol outlet; or

(5) Any medical marijuana cooperative operating under a valid permit issued pursuant to SCCC 13.10.670.

(C) Shall not be located within 300 feet of a zone district designated as RA, RR, R-1, RB or RM by the Santa Cruz County Zoning Ordinance.

(D) Shall not be located within 1,000 feet of any parcel on which another business licensed under this chapter is doing business.

(E) The distances specified in subsections (B), (C), and (D) of this section shall be measured in a straight line from any parcel line of the real property on which the business is proposed, to the nearest parcel line of the real property on which an existing business licensed under this chapter is located.

Section 5.62.090 On-site security.

(A) If the proposed or current business location is to be used at least in part for the sale of firearms, the business shall be a secure facility within the meaning of Penal Code Section 17110.

(B) If the business location is to be used at least in part for the sale of firearms, all heating, ventilating, air-conditioning, and service openings shall be secured with steel bars or metal grating.

(C) Any time a location is not open for business, every firearm shall be stored in one of the following ways:

(1) In a locked fireproof safe or vault within the business premises that meets the standards for a gun safe implemented by the Attorney General pursuant to Penal Code Section 23650; or

(2) Secured with a hardened steel rod or cable of at least one-fourth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five firearms may be affixed to any one rod or cable at any time.

(D) Any time a location is open for business, every firearm shall be unloaded, inaccessible to the public and secured using one of the following three methods, except in the immediate presence of and under the direct supervision of an employee of the business:

(1) Secured within a locked case so that a customer seeking access to the firearm must ask an employee for assistance;

(2) Secured behind a counter where only the licensee and the employees are allowed. During the absence of the licensee or an employee from the counter, the counter shall be secured with a locked, impenetrable barrier that extends from the floor or counter to the ceiling; or

(3) Secured with a hardened steel rod or cable of at least one-fourth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a boltcutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five firearms may be affixed to any one rod or cable at any time.

(E) Any time a location is open for business, any ammunition that is not principally for use in pistols, revolvers, or other firearms capable of being concealed upon the person, as that term is defined in Penal Code Section 16530(a), shall be inaccessible to the public and secured using one of the methods mentioned in subsection (D)(1) or (2) of this section, except in the immediate presence of and under the direct supervision of an employee.

(F) The permitted business location shall be secured by an alarm system that is installed and maintained by an alarm company operator licensed pursuant to the Alarm Company Act, Business and Professions Code Sections 7590 et seq. The alarm system must be monitored by a central station listed by Underwriters Laboratories, Inc., and covered by an active Underwriters Laboratories, Inc., alarm system certificate with a No. 3 extent of protection.

(G) The permitted business location shall be monitored by a video surveillance system that meets the following requirements:

(1) The system shall include cameras, monitors, digital video recorders, and cabling, if necessary.

(2) The number and location of the cameras are subject to the approval of Licensing Officer. At a minimum, the cameras shall be sufficient in number and location to monitor the critical areas of the business premises, including, but not limited to, all places where firearms or ammunition are stored, handled, sold, transferred, or carried, including, but not limited to, all counters, safes, vaults, cabinets, cases, entryways, and parking lots. The video surveillance system shall operate continuously, without interruption, whenever the location is open for business. Whenever the location is not open for business, the system shall be triggered by a motion detector and begin recording immediately upon detection of any motion within the monitored area.

(3) In addition, the sale or transfer of a firearm or ammunition shall be recorded by the video surveillance system in such a way that the facial features of the purchaser or transferee are clearly visible.

(4) When recording, the video surveillance system shall record continuously and store color images of the monitored area at a frequency of not less than 15 frames per second. The system must produce retrievable and identifiable images and video recordings on media approved by the Licensing Officer that can be enlarged through projection or

other means, and can be made a permanent record for use in a criminal investigation. The system must be capable of delineating on playback the activity and physical features of persons or areas within the premises.

(5) The stored images shall be maintained on the business premises for a period not less than one year from the date of recordation and shall be made available for inspection by Federal, State or local law enforcement upon request.

(6) The video surveillance system must be maintained in proper working order at all times. If the system becomes inoperable, it must be repaired or replaced within 10 calendar days. The license holder must inspect the system at least weekly to ensure that it is operational and images are being recorded and retained as required.

(7) The license holder shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height: THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

(H) The Licensing Officer may impose security requirements in addition to those listed in this section prior to issuance of the County license. Failure to fully comply with the requirements of this section shall be sufficient cause for denial or revocation of the County license by the Licensing Officer.

Section 5.62.100 Compliance with State law.

Any person licensed under this chapter shall obey all applicable county, State and Federal laws; and in addition, comply with the following requirements:

(A) The business shall be carried on only in the building designated in the County license;

(B) The County license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen;

(C) No firearm shall be delivered unless it is unloaded and securely wrapped or unloaded and in a locked container;

(D) No firearm shall be delivered unless the purchaser presents clear evidence of his or her identity and age;

(E) No firearm, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside;

(F) No firearm shall be delivered to any person that is prohibited by State or Federal law from possessing a firearm;

(G) The person licensed under this chapter shall post conspicuously within the licensed premises the following warning in block letters not less than three inches in height:

IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY ACCESS OF A CHILD, YOU MAY BE FINED OR IMPRISONED, OR BOTH, IF THE CHILD GAINS ACCESS TO AND IMPROPERLY USES, THE FIREARM.

Section 5.62.110 Maintenance and submission of records.

(A) Each person licensed under this chapter shall maintain records of importation, shipment, receipt, sale or other disposition of firearms and ammunition, and shall make such records available at all reasonable times, and shall submit to the Licensing Authority such reports and information upon reasonable request. The Licensing Officer, or his or her designee, may enter the premises (including places of storage) of any County license holder during normal business hours for the purpose of inspecting or examining (1) any records or documents required to be kept; and/or (2) any firearms or ammunition kept or stored at such premises.

(B) The County license holder shall maintain records of all employees, identifying them by name, address, date of birth and Social Security number. The County license holder shall notify the Licensing Officer in writing within 10 calendar days of any change in employees and submit the required identifying information for each newly hired employee. Failure to comply with this section shall be grounds for revocation of the County license holder's license.

Section 5.62.120 License renewal.

Every County license issued under this chapter shall expire on December 31st of the year in which it is issued. A County license holder shall submit an application for renewal in person at least 90 calendar days before the expiration of the County license. License holders who apply for renewal shall be required to meet all standards specified in this chapter. All of the requirements and procedures applicable to new applications shall apply to renewal applications. Each renewal application shall be accompanied by the applicable administrative fee.

Section 5.62.130 License renewal nonassignable.

Except as otherwise hereinafter provided, no County license issued under this chapter may be sold, transferred or assigned by the firearms dealer or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such County license and such County license shall thereafter be deemed terminated and void.

Section 5.62.140 Suspension and revocation.

Every County license issued under this chapter shall be subject to summary suspension and revocation by the Licensing Officer if he or she determines that:

(A) The County license holder has failed to meet any of the requirements specified under this chapter;

(B) The County license holder and/or any employee(s) has violated any of the conditions or provisions of this chapter;

(C) The County license holder and/or any employee(s) has violated any provision of Federal or State firearms sales laws;

(D) The County license holder's Federal firearms sales license has been revoked; or

(E) The County license holder has committed any act which could have resulted in the denial of issuance of a firearms license.

Section 5.62.150 Notification of suspension or revocation.

It shall be the duty of the Licensing Officer or his or her designee to notify any County license holder charged with any violation or misconduct, as described above, by serving such person, either personally or by first class United States mail, with a letter setting forth the particular written standard or condition which has been violated. The letter shall inform such County license holder of the right to a hearing before the Board of Supervisors, at which time the County license holder may appear with a representative if so desired and be heard in defense of the charges. The County license holder shall also be given notice that any request for a hearing before the Board of Supervisors must be made in writing to the Clerk of the Board within 10 calendar days after the date on which notice is served on the County license holder. The suspension or revocation shall be effective on the date the notice is served on the County license holder. Such notice, if served by United States mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the County license holder's address of record.

Section 5.62.160 Hearing on revocation or suspension.

(A) Any applicant or licensee who is aggrieved by any action taken in regard to a County license may request an appeal hearing before the Board of Supervisors. Request for such hearing shall be in writing and filed with the Clerk of the Board of Supervisors, and a copy filed with the Licensing Officer on or before 10 calendar days after the action appealed from was taken, and shall state the grounds upon which the aggrieved party claims there was improper denial, suspension or revocation of his or her license.

(B) Upon receipt of such request for hearing, the Board of Supervisors shall set the matter for hearing not later than 20 calendar days thereafter unless the Board is not in session in which case the Board shall set the matter for hearing at the next available regular meeting date. The Board may also determine whether to stay the denial, suspension or revocation pending decision on the appeal. Written notice of the time and place of hearing on the matter shall be given by the Clerk of the Board of Supervisors to the aggrieved party and to the Licensing Officer, and upon receipt of the notice of hearing the Licensing Officer shall forward to the Board of Supervisors and provide to the appellant a report on this action with respect to the matter, attaching all relevant notices and any other materials relied upon by the Licensing Officer in making the decision.

(C) Upon hearing of the matter, the Board of Supervisors may take such action or make such orders as the Board deems just and proper in the disposition of the matter.

Section 5.62.165 Insurance requirements.

Each County license holder shall maintain at all times while engaged in said business a policy of public liability insurance. Said policy of insurance shall provide coverage in the amount and to the limits prescribed from time to time by the Licensing Officer in consultation with the County's Risk Manager. Any such policy of insurance shall contain an endorsement naming the County of Santa Cruz and its employees as additional insureds and further providing that the insurance policy will not be cancelled without first providing 30 days' advance notice to the Licensing Officer. Failure to obtain and maintain insurance as required herein shall constitute grounds for revocation or suspension of the firearms dealer's County license.

Section 5.62.170 Violations.

It shall be unlawful and a violation of this chapter for any person, corporation, partnership or other entity to operate a firearms business within the unincorporated area of the County of Santa Cruz without a valid County license issued pursuant to this chapter.

Section 5.62.180 Penalties.

Any person or entity, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter, shall be guilty of an infraction for the first offense, or of a misdemeanor for any subsequent offense(s) occurring within the one year after the first offense. Upon conviction, the person convicted shall be punished in accordance with Chapter 1.12 SCCC.

Title 7 Health and Safety
Chapter 7.90 Prohibition of Saturday Night Specials/Junk Guns

Section 7.90.030 Definitions.

Except as provided in SCCC 7.90.040, the term **"Saturday Night Special,"** as used in this chapter, shall mean any of the following:

(A) "A pistol, revolver or firearm capable of being concealed upon the person," as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength;

(B) A semi-automatic pistol which:

(1) Is not originally equipped by the manufacturer with a locked-breech action, and

(2) Is chambered for cartridges developing maximum permissible breech pressures above 24,100 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute,

(3) For purpose of this subsection, "semi-automatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber, (ii) ejects the fired cartridge case, and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" shall not include any assault weapons designated in California Penal Code Section 12276;

(C) A pistol, revolver or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

(1) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum safe permissible breech pressures below 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

(2) Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute, and

(3) Is not originally equipped by the manufacturer with a nondetachable trigger guard, or

(4) If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame,

(5) For purposes of this subsection, "action mechanism" shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded, commonly known as the cycle of operation.

Section 7.90.040 Exclusions.

The term "Saturday Night Special" does not include any of the following:

(A) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

(B) Any pistol of which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

(C) Children's pop guns or toys; or

(D) An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12); or

(E) Any pistol which has been modified to either: render it permanently inoperable, or permanently to make it a device no longer classified as a Saturday Night Special.

Section 7.90.050 Roster of Saturday Night Specials.

On or before January 1, 1997, the Sheriff or his/her designee shall compile, publish and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the Sheriff or his/her designee determines fit the definition of "Saturday night special" set forth in SCCC 7.90.030.

Section 7.90.060 Notifications.

Upon completion of a list of firearms to be placed on the roster for the first time, the Sheriff or his/her designee shall endeavor to send written notification to: (1) the manufacturer of every firearm on the list; and (2) every dealer within the County who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the State of California. Such notification shall do the following:

(A) Identify the model number of the firearm which has been classified as a Saturday night special within the meaning of SCCC 7.90.030; and

(B) Advise the recipient that the recipient may apply for reconsideration of the classification of the firearm as a Saturday night special; and

(C) Advise the recipient that the burden of proving that a firearm does not constitute a Saturday night special within the meaning of SCCC 7.90.030 shall be on the recipient.

Section 7.90.070 Reconsideration by the Sheriff.

(A) The Sheriff or his/her designee shall, prior to the effective date of the ordinance codified in this chapter, establish standards and procedures for the form and content of an application, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Sheriff or his/her designee to classify the firearm in question as a "Saturday night special" as defined in SCCC 7.90.030.

(B) Upon timely filing of one or more complete applications for reconsideration, the Sheriff or his/her designee shall evaluate the evidence submitted by the applicant(s). The applicant(s) shall have the burden of demonstrating that the firearm does not constitute a Saturday night special within the meaning of SCCC 7.90.030.

Section 7.90.080 Appeal of classification.

(A) If the Sheriff or his/her designee determines that the firearm under reconsideration has been properly classified as a Saturday night special, then the applicant(s) shall have the right to appeal such decisions to the County Administrative Officer, and the applicant(s) shall have the right to a hearing before the County Administrative Officer or his/her designee prior to inclusion of the firearm in question on the roster.

(B) The County Administrative Officer or his/her designee is authorized to establish standards and procedures for the form and content of an appeal, conducting an administrative hearing and evaluating evidentiary testimony relating to the decision of the Sheriff or his/her designee to classify the firearm in question as a "Saturday night special" as defined in SCCC 7.90.030.

(C) The burden of proof shall be on the appellant(s) to demonstrate that the firearm does not constitute a Saturday night special within the meaning of SCCC 7.90.030.

(D) All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues and to be represented by counsel.

(E) The County Administrative Officer or his/her designee shall hear and consider all relevant evidence. Upon the conclusion of the hearing, the County Administrative Officer or his/her designee shall, based on the evidence presented, determine whether the firearm constitutes a Saturday night special within the meaning of SCCC 7.90.030.

(F) In all instances, the decision of the County Administrative Officer or his/her designee whether to classify the firearm in question as a "Saturday night special" as defined in SCCC 7.90.030 and to place the firearm on the roster is final.

Section 7.90.090 Publication of the roster.

The Sheriff or his/her designee shall place on the roster those firearms which have been determined to constitute a Saturday night special within the meaning of SCCC 7.90.030. The Sheriff or his/her designee shall cause the roster to be published in the following manner:

(A) Notification of the roster's completion shall be published at least once in the official newspaper as designated by the County and circulated in the County within 15 days after its completion; and

(B) A copy of the roster, certified as a true and correct copy thereof, shall be filed in the office of the Clerk of the Board of the County of Santa Cruz; and

(C) A copy of the roster, certified as a true and correct copy thereof, shall be distributed to every dealer within the County who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the State of California.

Section 7.90.100 Effective date of roster.

The roster shall become effective on the fifteenth day after its publication.

Section 7.90.110 Additions to the roster.

Additions to the roster shall be made in accordance with the following:

(A) Semi-Annual Determination. On a semi-annual basis, the Sheriff or his/her designee shall determine the need to place firearms on the roster. Upon identifying one or more firearms as a Saturday night special, the Sheriff or his/her designee shall prepare a draft list of the additions to the roster.

(B) Notification of Additions to Roster. In the event that a draft list of firearms to be added to the roster is prepared, the Sheriff or his/her designee shall endeavor to send written notification in accordance with the aforementioned provisions of SCCC 7.90.060.

(C) Reconsideration by the Sheriff. Any person who the Sheriff or his/her designee notifies pursuant to subsection (B) of this section may apply for reconsideration of the classification of that firearm as a Saturday night special in accordance with the provisions of SCCC 7.90.070.

(D) Appeal of Classification. Whenever a firearm has been determined to be properly classified as a Saturday night special after reconsideration, the applicant may file an appeal to the County Administrative Officer and the County Administrative Officer or his/her designee shall hold a hearing in accordance with the provisions of SCCC 7.90.080.

(E) Additions to Firearms to Roster. The addition of new firearms to the roster shall not operate to preclude the enforcement of the roster with respect to firearms previously listed thereon. The publication of the roster, as amended to include new firearms, shall be effective as to those newly added firearms on the fifteenth day after its publication as set forth in SCCC 7.90.090.

Section 7.90.120 Sale prohibited.

After January 1, 1997, no wholesale or retail firearms dealer licensed pursuant to California Penal Code Section 12071 shall sell, offer or display for sale, give, lend or transfer ownership of any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the State of California.

Section 7.90.130 Exemptions.

Nothing in this chapter relative to the sale of Saturday night specials shall prohibit the disposition of any firearm by sheriffs, constables, marshals, police officers, or other duly appointed peace officers in the performance of their official duties, nor to persons who are authorized by the United States Federal Government for use in the performance of their official duties; nor shall anything in this chapter prohibit the use of any firearm by the above-mentioned persons in the performance of their official duties.

Section 7.90.140 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this chapter shall be punishable by a fine of not more than $1,000 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Section 7.90.150 Severability and validity.

This chapter shall be enforced to the full extent of the authority of the County of Santa Cruz. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the County of Santa Cruz, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this chapter, and the applications thereof; and to that end the section, subsections, paragraphs, sentences and words of this chapter shall be deemed severable.

Title 13 Planning and Zoning Regulations
Chapter 13.10 Zoning Regulations

Section 13.10.332 Commercial uses.

(A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the commercial districts shall be as follows:

PA professional and administrative offices;
VA visitor accommodations;
CT visitor serving uses and facilities;
C-1 neighborhood-serving, small-scale commercial services and retail uses;
C-2 community-serving, large-scale retail uses and small-scale commercial services;
C-4 commercial services of all types and uses needing large sites or outdoor use areas; including appurtenant uses and structures.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval unless otherwise denoted with the letter P in the commercial uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC relating to Coastal Zone permits, and in some cases, as provided in Chapter 13.20 SCCC, any development is appealable.

(B) Allowed Uses.

(1) The uses allowed in the commercial districts shall be as provided in the following commercial uses chart. A discretionary approval for an allowed use is known as a “use approval” and is given as part of a “development permit” for a particular use. The type of permit processing review, or “approval level,” required for each use in each of the commercial zone districts is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter 18.10 SCCC, Permit and Approval Procedures. The approval levels given in this chart for structures incorporate the approval levels necessary for processing a building permit for the structure. Higher approval levels than those listed in this chart for a particular use may be required if a project requires other concurrent approvals, according to SCCC 18.10.123.

Commercial Uses Chart
Key:
4 = Approval Level IV (administrative, public notice required)
5 = Approval Level V (public hearing by Zoning Administrator required)
6 = Approval Level VI (public hearing by Planning Commission required)
— = Use not allowed in this zone district
* = Level IV for projects of less than 5,000 square feet
Level V for projects of 5,000 to 20,000 square feet
Level VI for projects of 20,000 square feet and larger

Use	PA	VA	CT	C-1	C-2	C-4
Commercial services, community, such as:						
Gunsmiths	—	—	—	—	4/5/6*	4/5/6*

Section 13.10.342 Uses in industrial districts.

(A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the industrial districts shall be as follows:

M-1 small light industrial facilities;
M-2 light industrial facilities in general;
M-3 mining, agriculture, and timber harvesting including appurtenant accessory uses and structures.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or a mining permit (M) in the industrial uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC relating to Coastal Zone permits, and in some cases pursuant to Chapter 13.20 SCCC, any development is appealable.

(B) Allowed Uses.

(1) The uses allowed in the industrial districts shall be as provided in the following industrial uses chart. A discretionary approval for an allowed use is known as a “use approval” and is given as part of a “development permit” for a particular use. The type of permit processing review, or “approval level,” required for each use in each of the industrial zone districts is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter 18.10 SCCC, Permit and Approval Procedures. The approval levels given in this chart for structures incorporate the approval levels necessary for processing a building permit for the structure. Higher approval levels than those listed in this chart for a particular use may be required if a project requires other concurrent approvals, according to SCCC 18.10.123. For purposes of this chapter, a mining approval is a use approval.

Industrial Uses Chart

Key: M-1, M-2 AND M-3 Zone Districts

4 = Approval Level IV (administrative, public notice required)
5 = Approval Level V (public hearing by Zoning Administrator required)
6 = Approval Level VI (public hearing by Planning Commission required)
7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)
— = Use not allowed in this zone district
* = Level IV for projects of less than 2,000 square feet;

Level V for projects of 2,000 to 20,000 square feet;
Level VI for projects of over 20,000 square feet

Industrial Uses Chart			
Uses	M-1	M-2	M-3
Manufacturing, heavy, and processing, such as:			
Manufacturing and processing of:			
Firearms	4/5/6*	4/5/6*	—

Santa Fe Springs Code of Ordinances
Codified through Ordinance No. 1092, passed May 24, 2018. (Supp. No. 21)

Title XIII. General Offenses
Chapter 135. Weapons Control

Section 135.15 Possession by minors of firearms.

No person under the age of 18 years shall use or have in his possession any gun, firearm, spring gun, air rifle, slingshot or ammunition within the city.

Section 135.16 Sale of firearms to minors.

No person shall give, sell or loan to any person under the age of 18 years, any gun, firearm, spring gun, air rifle, slingshot or ammunition.

Section 135.17 Possession, use and sale of firearms permitted with consent and supervision of parents.

Nothing in this subchapter shall be deemed or construed to prohibit any of the following:

(A) The selling, giving, lending or furnishing to any person under the age of 18 years, upon the written consent of the parent or guardian of such person, any article mentioned in § 135.16.

(B) Any person under the age of 18 years from having in his possession, care, custody or control, any article mentioned in § 135.15, in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Title XV Land Usage
Chapter 155 Zoning
Part 6. C-4 Community Commercial Zone District

Section 155.153 Conditional uses.

The following uses shall be permitted in the C-4 Zone only after a valid conditional use permit has first been issued:

(DD) Retail sale, lease or transfer of any firearm(s).

Part 9 M-2 Heavy Manufacturing Zone District

Section 155.243 Conditional uses.

The following uses shall be permitted in the M-2 Zone only after a valid conditional use permit has first been issued:

(B) Storage of:

(6) Firearms of any type, including rifles, hand guns and similar weapons totalling five or more in any combination, including wholesale transfer, retail as specified in § 155.243(N), storage, distribution or delivery of any firearm(s).

(7) Ammunition, munitions, bullets, including smokeless gunpowder in amounts totalling 20 pounds or more.

(J) Also the following:

(12) Manufacturing and/or reloading of ammunition.

(N) Retail sale, lease or transfer of any firearm(s) to the following upon presentation of proper government-issued identification:

(1) Active and retired sworn law enforcement personnel.

(2) Law enforcement agencies.

(3) Fire fighters, volunteer fire fighters, and paramedics.

(4) Military personnel including Reservists and National Guard, including military personnel with “retired” credentials.

(5) Corrections officers, including parole and probation officers.

(6) Individuals with a valid security guard license issued by the California Bureau of Security and Investigative Services.

(7) Security companies with a valid certification by the California Bureau of Security and Investigative Services.

(8) Court Judges, District Attorneys, Deputy District Attorneys, and District Attorney Investigators.

(9) Law Enforcement Academy Cadets with enrollment documentation from the Academy.

Miscellaneous Uses

Section 155.648 Storage of explosives, firearms and ammunition.

(A) A conditional use permit shall be required for the establishment of a storage or retail use involving explosives, firearms or ammunition pursuant to § 155.243 of this chapter.

(B) In addition to any other conditions which may be imposed by the Planning Commission on the granting of said conditional use permit, the following shall apply:

(1) A security and safety plan shall be submitted to the city for approval and shall be implemented prior to occupancy of the building.

(2) The storage of explosives, firearms or ammunition shall not occur within 1,000 feet of any property zoned for or occupied by residential, schools, parks and religious land uses.

(3) Retail sales in connection with storage of explosives, firearms or ammunition shall be prohibited with the exception of retail sales as specified in § 155.243(N).

(4) The storage of explosives, firearms or ammunition shall comply with the following additional Building and Fire Code requirements.

(a) Ammunition.

1. Storage of ammunition.

a. Amounts not exceeding 500 pounds may be stored in a safe and secured location.

b. Amounts in excess of 500 pounds shall be stored in a location and in a manner approved by the City's Fire Chief.

c. Not more than 1,000 pounds may be stored in a basement equipped with automatic sprinklers.

d. Over 5,000 pounds shall be stored in a room of one hour fire resistive construction. Door openings thereon shall be protected by one hour fire assemblies. Such rooms shall be equipped with an automatic sprinkler system.

2. Separation. Ammunition shall be separated from flammable liquids, flammable solids, and oxidizing materials by one hour fire resistive separation or by a distance of not less than 25 feet.

3. Approval. Ammunition shall not be stored with Class A or Class B explosives unless the storage facility is approved by the City's Fire Chief.

(b) Fire protection. Portable fire extinguishers shall be provided as required by § 10.301 of the Uniform Fire Code wherever fireworks, smokeless powder, small arms ammunition or small arms primers are stored, manufactured, or handled.

Santa Paula Code of Ordinances

Codified through Ordinance No. 1277, passed April 2, 2018. (Supp. No. 20)

Title XVI Development Code

Chapter 16.230 Home Occupation Permit

Section 16.230.040 Prohibited home occupations.

The following uses, either by operation or nature, are not incidental to or compatible with residential activities and shall not be permitted as home occupations:

(F) Firearms/weapons dealerships.

Santa Monica Municipal Code
Codified through Ordinance No. 2587CCS and the November 2018 code supplement.

Article 3 Public Safety
Chapter 3.24 Firearms

Section 3.24.020 Firearms dealer permit required for sale of guns or munitions.

(a) Any person who operates or manages, or who proposes to operate or manage, any business which sells, transfers, leases, offers or advertises for sale, transfer or lease any firearm, shall obtain a firearms dealer permit from the Chief of Police, in addition to any other permits or licenses required by law prior to operating or managing the business.

(b) The Director of Finance shall not issue a business license to any person who operates or manages, or who proposes to operate or manage, any business which sells, transfers, leases, offers or advertises for sale, transfer or lease any firearm, unless the person obtains all necessary permits or other licenses required by Federal, State and City law, including a firearms dealer permit issued by the Chief of Police.

(c) For purposes of this Section, "firearm" shall have the same meaning as it does for purposes of Section 12071 of the California Penal Code. This Section shall not apply to those activities specifically exempted by California Penal Code Section 12070(b).

Section 3.24.030 Firearms dealer permit application process.

(a) Manner of Application and Fees. An application for a firearms dealer permit shall be filed with the Chief of Police under penalty of perjury on a form to be specified by the City. The application shall be accompanied by the fees established by resolution of the City Council. The application shall contain:

(1) All relevant information to demonstrate the applicant's compliance with this Chapter, including a floor plan of the proposed business which illustrates the applicant's compliance with the security provisions of Section 3.24.031(e);

(2) A certification by the City Planning and Community Development Department that the applicant's business will not be located in a zoning district in which the operation of a firearms business is prohibited, and that the applicant has secured a conditional use permit if required by Article 9 of the Municipal Code;

(3) Proof of compliance with all applicable Federal, State and local law;

(4) All other information requested, or the application will not be deemed complete.

(b) City's Right to Investigate Any Relevant Facts. The Chief of Police may cause to be conducted an investigation to determine whether the application for a firearms dealer permit meets all the requirements of Federal, State and local law, and may require any and all additional information from an applicant that is deemed necessary to complete the investigation.

(c) Grounds for Denial of Application. The Chief of Police shall give the applicant a written notice of his or her decision to grant or to deny the application for a firearms dealer permit. The notice shall set forth the ground or grounds for the Chief of Police's decision. The Chief of Police shall deny the issuance of a permit when any of the following conditions are met:

(1) The applicant, or any officer, employee or agent thereof who will have access and control over firearms, is under twenty-one years of age.

(2) The applicant is not licensed as required by all applicable Federal, State and local laws.

(3) The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has had a permit previously revoked or denied for good cause within the immediately preceding two years for failure to operate its business in compliance with the requirements of Federal, State or local law, including any conditions imposed by such laws.

(4) The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has made a false or misleading statement of a material fact or an omission of a material fact in the application for a permit.

(5) The applicant, or any officer, employee or agent thereof who will have access and control over firearms, has been convicted of the following:

(A) Any offense which disqualifies the person convicted from owning or possessing a firearm under applicable Federal, State and local laws;

(B) Any offense related to the manufacture, sale, possession or registration of any firearm or dangerous or deadly weapon;

(C) Any offense involving the use of violence upon the person of another;

(D) Any offense involving theft, fraud, dishonesty or deceit;

(E) Any offense involving the manufacture, sale, possession or use of any controlled substance as defined by California Health and Safety Code Section 11007, as said definition now reads or may hereafter be amended to read.

(6) The applicant is within the classes of persons defined in California Welfare and Institutions Code Section 8100 or 8103.

(7) The operation of the business as proposed will not comply with all applicable Federal, State and local laws.

(8) The applicant, or any officer, employee or agent thereof, proposes to operate the business in a location where such use is prohibited, or has not obtained other necessary City permits.

(9) The applicant, or any officer, employee or agent thereof, is not the owner of record of the real property at which the business is to be conducted, nor has a lease, license, or other entitlement or possessory interest to operate such business at such location.

(10) Any other grounds for denial that exist as specified in the Santa Monica Municipal Code.

Section 3.24.031 Firearms dealer permit—Conditions.

Any firearms dealer permit issued pursuant to this Chapter shall be subject to all of the following conditions:

(a) The permittee shall comply with all Federal and State laws concerning the operation of the permitted business including, but not limited to, California Penal Code Sections 12071(b)(3)—(14), 12072, 12073, 12074, 12076, 12077 and 12082. To the extent the provisions of this Chapter impose more stringent requirements than those contained in State or Federal law, these local provisions shall prevail.

(b) The business shall be carried on only in the building located at the street address shown on the City of Santa Monica permit.

(c) The permittee shall keep complete and current records of all firearms transactions. In addition to the requirements of California Penal Code Sections 12073, 12076 and 12077, permittee must also keep a complete current inventory of all firearms in stock. This inventory shall include an entry for each weapon, with the classification, serial numbers, and any other information that is required by the Chief of Police for the tracking of the chain of ownership of the firearm.

(d) The permittee shall maintain records of ammunition sales in compliance with the provisions of Chapter 3.25 of this Code.

(e) The premises at which the business is to be operated shall contain all security measures reasonably required by the Chief of Police, which shall include, but not be limited to:

(1) The provision of secure locks, windows and doors, adequate lighting, and such fire and theft alarms as specified by the Chief of Police.

(2) The storing of all firearms and munitions on the premises out of reach of customers in secure, locked facilities, so that access to firearms and munitions shall be controlled by the dealer, or employees of the dealer entrusted to handle firearms, to the exclusion of all others.

(f) Permittee shall cause to be obtained, and keep in full force and effect a policy of insurance in such form as the City deems proper, executed by an insurance company approved by the City whereby the permittee is insured against liability for damage to property and for injury to or death of any person as a result of the sale, transfer or lease, or offering or exposing for sale, transfer or lease, of any firearm. The minimum liability limits shall not be less than one million dollars for damage to or destruction of property in any one incident, and one million dollars for the death or injury to any one person. Such policy of insurance shall contain an endorsement providing that the policy will not be canceled until notice in writing has been given to the City, addressed in care of the Risk Manager, 1717 4th Street, Santa Monica, California 90401, at least thirty days immediately prior to the time such cancellation becomes effective. Upon expiration of any such policy and if no additional insurance has been secured prior to the expiration thereof in the manner provided for the initial securing of a permit under this Chapter, the permit shall be deemed canceled without further notice or opportunity to be heard.

(g) The permittee shall consent to the City's inspection of the business premises and records in order for the City to establish continued compliance with the terms of the permit, and in accordance with Section 3.24.036 of this Chapter.

(h) The permit shall not become effective until the permittee has obtained all other permits required by Federal, State or local law including, but not limited to, a business license and zoning and building permits.

Section 3.24.032 Firearms dealer permit—Form and term.

A firearms dealer permit issued pursuant to this Chapter shall state on its face "Valid for Retail Sales of Firearms," and shall expire one year after the date of issuance or automatically upon revocation or expiration of permittee's Federal firearms license. A permit may be renewed by the Chief of Police for additional periods of one year upon the approval of an application for renewal by the Chief of Police and payment of the renewal fee established by City Council resolution. A

completed application for renewal shall be submitted to the Chief of Police at least forty-five days prior to the expiration of the current permit or else the permit shall expire at the expiration of its term. If the application is submitted in a timely manner, the permit to operate shall continue in effect until the expiration date of the current term, or two weeks after the Chief of Police mails written notice to the applicant denying renewal, whichever occurs later.

Section 3.24.033 Firearms dealer permit—Permit assignment.

No person shall assign or in any manner transfer or attempt to assign or transfer any firearms dealer permit issued pursuant to this Chapter and any such assignment or transfer or attempt to assign or transfer a permit shall constitute grounds to revoke the permit.

Section 3.24.034 Firearms dealer permit—Grounds for revocation and denial of renewal.

The Chief of Police may revoke a firearms dealer permit, or deny an application to renew a permit, in any of the following circumstances:

(a) Upon breach of any of the permit conditions set forth in of Section 3.24.031;

(b) Upon any circumstance constituting a ground for denial of a permit set forth in Section 3.24.030(c);

(c) Upon transfer or assignment, or attempted transfer or assignment of the permit as prohibited in Section 3.24.033;

(d) If the business is being conducted in a disorderly manner or in violation of any applicable State or Federal law or ordinance of this City or any provision of this Code;

(e) When the purpose for which the permit has been issued is being abused to the detriment of the public, or when the permit is being used for a purpose different from that for which the permit was issued.

Section 3.24.035 Firearms dealer permit—Appeals.

Any person aggrieved by any decision to deny or revoke any firearms dealers permit pursuant to this Chapter may appeal such decision to a Hearing Examiner in accordance with Chapter 6.16 of the Santa Monica Municipal Code.

Section 3.24.036 Firearms dealer permit—Authority to inspect.

Any and all investigating officials of the City shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing and health regulations, as well as the provisions of this Chapter. A police investigator may conduct compliance inspections to ensure conformance with all Federal, State and local laws, and the provisions of this Chapter.

Section 3.24.037 Violation of Sections 3.24.030 through 3.24.036.

(a) Any person who conducts a business in violation of Sections 3.24.030 through 3.24.036 of this Chapter shall be guilty of a misdemeanor for each day a violation occurs. Each violation shall be punishable by up to one year in jail or a five hundred dollar fine, or both.

(b) In addition to any other penalty or remedy, the City Attorney may commence a civil action to seek enforcement of these provisions.

Section 3.24.080 Gun shows.

Gun shows or events shall be prohibited in the City, except for gun shows or events in the M1 District. For purposes of this Section, a gun show or event is any event at which firearms, as defined in Section 3.24.020, are sold, transferred, leased or offered or advertised for sale, transfer or lease. Any such gun show or event in the M1 District must obtain all other approvals or permits required by local, State or Federal law.

Section 3.24.085 Existing firearms dealerships.

Firearms dealers existing on the effective date of the ordinance codified in this Section who obtained a firearms dealer permit pursuant to Ordinance No. 1763CCS or Ordinance No. 1831CCS on or before January 1, 1995, shall not be required to obtain a conditional use permit, but shall comply with all other provisions of this Code. If such existing dealers are located other than in the M1 Industrial Conservation District, such uses shall be considered legal nonconforming uses. If an existing firearms dealership increases its firearms or munitions display area over that which it maintained on the effective date of the ordinance codified in this Section, the firearms dealership shall no longer be considered a legal nonconforming use. Such firearms dealerships shall forthwith comply with all requirements of this Code. Any firearms dealership existing as of the effective date of the ordinance codified in this Section who did not obtain a firearms dealer permit by January 1, 1995, is in violation of law.

Chapter 3.25 Registration of Ammunition Sales

Section 3.25.010 Definitions.

The following words or phrases as used in this Chapter shall have the following meanings:

Ammunition. Projectiles expelled by force of an explosion, for use in pistols and revolvers, as defined in California Penal Code Section 12001, and in rifles.

Vendor. Any individual, gun store, firm, or corporation having a business license to sell ammunition.

Section 3.25.020 Record of ammunition sales.

(a) Every holder of a business license to sell ammunition shall maintain records pertaining to ammunition sales prescribed by this Chapter on the licensed premises and in the manner prescribed herein.

(b) Every record shall contain the following information:

(1) The date of the transaction.

(2) The purchaser's name, address, and date of birth.

(3) The purchaser's driver's license number or other identification and state where that identification was issued.

(4) The brand of ammunition purchased.

(5) The type and amount of ammunition purchased.

(6) The purchaser's signature.

(c) The information required by this Section shall be completed in a log book at the time of the purchase.

(d) The record shall be maintained in chronological order by date of sale of the ammunition, and shall be retained on the licensed premises of the vendor for a period of two years following the date of the purchase of the ammunition.

(e) At the direction of the Chief of Police, or his or her designee, police officers may enter the premises of any licensed vendor during regular business hours for the purpose of examining or inspecting any record required by this Chapter.

Section 3.25.030 Violation—Penalty.

(a) It is unlawful for any vendor knowingly to make a false entry or fail to make an appropriate entry in the ammunition sales log. It is unlawful for any vendor to knowingly fail to properly maintain any such record or to refuse to exhibit the record to a police officer immediately upon request for such inspection.

(b) Any vendor violating any provision of this Chapter is deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the City or County Jail for a period not to exceed six months, or by both such fine and imprisonment.

Chapter 3.26 Saturday Night Specials

Section 3.26.010 Definitions.

As used in this Chapter, except as specifically excluded by Section 3.26.020, "Saturday Night Special" shall include the following:

(a) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat-treated carbon steel, forged alloy or other material of equal or higher tensile strength.

(b) A semiautomatic pistol which:

(1) Is not originally equipped by the manufacturer with a locked-breech action; and

(2) Is chambered for cartridges developing maximum permissible breech pressures above twenty-four thousand one hundred copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

(3) For purpose of this subsection (b), "semiautomatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001(b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber; (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semiautomatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276.

(c) A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001(a), which:

(1) Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech pressures

below nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(2) Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above nineteen thousand copper units of pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

(3) Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger; or

(4) If rimfire, is equipped with a barrel of less than twenty bore diameters in overall length protruding from the frame.

(5) For purposes of this subsection (c), “action mechanism” shall mean the mechanism of a firearm by which it is loaded, locked, fired, and unloaded.

Section 3.26.020 Exclusions.

“Saturday Night Special” does not include any of the following:

(a) Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7), and (8) of subsection (b) of California Penal Code Section 12020; or

(b) Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion; or

(c) Children’s pop guns or toys; or

(d) An “unconventional pistol” as defined in California Penal Code Section 12020(c)(12); or

(e) Any pistol which has been modified to either render it permanently inoperable or permanently to make it a device no longer classified as a “Saturday Night Special.”

Section 3.26.030 Roster of Saturday Night Specials.

The City Manager or designee shall compile, publish and thereafter maintain a roster of Saturday night specials, according to administrative procedures to be adopted by the City Manager. The roster shall list those firearms, by manufacturer and model number, which the City Manager or designee determines satisfy the definition of Saturday night special as set forth in Section 3.26.010. After its initial publication, the roster of Saturday night specials shall be published thereafter on a semiannual basis and a copy shall be sent to every dealer within the City who is licensed to sell and transfer firearms pursuant to Penal Code Section 12071, and who has obtained a firearms dealer permit in accordance with Chapter 3.24 of this Code. After its initial publication, the failure to publish a roster on a semiannual basis thereafter shall not be a defense to any violation of this Chapter.

Section 3.26.040 Sales prohibited.

No person who is obligated to obtain a firearms dealer permit pursuant to Chapter 3.24 of this Code, or any officer, agent or employee thereof, shall sell, offer or display for sale, give, lease, lend or transfer ownership or control of, any firearm listed on the roster of Saturday night specials. This Section shall not preclude a person who has obtained a firearms dealer permit pursuant to Chapter 3.24 and any other required local, State, or Federal licenses, or any officer, employee or agent thereof, from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code. This Section shall not be enforced until the roster of Saturday night specials has been completed and first published in accordance with Section 3.26.030 of this Code.

Section 3.26.050 Exemptions.

Nothing in this Chapter shall prohibit the disposition of any Saturday night special by police departments, Sheriff’s offices, marshal’s offices, the California Highway Patrol, other local, State and Federal law enforcement agencies, or the military and naval forces of this State or the United States for use in discharge of their official duties.

Article 6 Business, Professions and Trades
Chapter 6.14 Regulatory Restrictions on Designated Business Activities

Section 6.14.050 Business activities requiring police permits.

The following business activities require a police permit:

(b) Firearm sales.

Article 9 Planning and Zoning
Division 2 Base and Overlay Districts
Chapter 9.13 Employment Districts

Section 9.13.020 Land use regulations.

Table 9.13.020 prescribes the land use regulations for Employment Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"–" designates uses that are not permitted.

Land uses are defined in Chapter 9.51, Use Classifications. Use classifications and sub-classifications not listed in the table are prohibited. Accessory uses are permissible when they are determined by the Zoning Administrator to be necessary and customarily associated with and appropriate, incidental, and subordinate to, the principal uses and which are consistent and not more disturbing or disruptive than permitted uses. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other Sections of this Ordinance.

Table 9.13.020: Land Use Regulations—Employment Districts				
Use Classification	IC	OC	HMU	Additional Regulations
Commercial Uses				
Retail Sales	See sub-classifications below.			
Firearms and Ammunition Sales	–	–	–	

Division 3 General Regulations
Chapter 9.31 Standards for Specific Uses and Activities

Section 9.31.160 Home occupation.

B. Prohibited Home Occupation Uses. The following uses shall not be permitted as home occupations:

8. Firearms manufacture, sales, or repair.

Santa Rosa Code of Ordinances
Codified through Ordinance No. 10. Public Peace, Morals and Welfare

Title 10 Public Peace, Morals and Welfare
Chapter 10-24 Weapons

Section 10-24.010 Licensing authority—Issuance of firearms sales permits.

(A) The Chief of Police is designated as the duly constituted licensing authority of the City for accepting applications for, and the granting of licenses as provided in Section 12071 of the California Penal Code.

(B) A City processing fee shall be paid at the time an application for a license under this section is submitted. The amount of the fee shall be established from time to time by resolution of the City Council. The City processing fee shall be in addition to any fee(s) that may be payable to the state or federal government in connection with an application submitted under this section.

Title 20 Zoning
Division 4 Standards for Specific Land Use
Chapter 20-42 Standards for Specific Land Uses

Section 20-42.070 Home occupations.

B. Prohibited uses. The following uses and similar activities are prohibited as home occupations:

7. Weapons or ammunition sales;

Santee Code of Ordinances
Codified through Ordinance No. 553 and the October 2018 code supplement.

Title 5 Business Licenses, Taxes and Regulations
Chapter 5.44 Sale of Firearms

Section 5.44.010 License procedure.

The procedure to follow, except as otherwise herein provided, in obtaining a license is that set forth in Chapter 5.02. The applicant shall pay as a fee for the license the sum of one hundred thirty dollars to be paid at the time application for the license is made. The fee for renewal shall be forty dollars.

Section 5.44.020 Limitation on location.

The business licensed by this chapter shall be carried on only in the building designated in the license.

Section 5.44.030 Records of secondhand weapons.

A. If a dealer, licensed by this chapter to sell firearms, shall have offered to him for purchase or for acceptance in trade a used or secondhand concealable weapon, he shall first obtain from the person offering such weapon the following information:

1. Name, address, and physical description of such person;

2. The description and license number of the vehicle, if any, being drive by such person;

3. The caliber, manufacturer's name, description, serial number or numbers, initials or other identifying marks of the weapon;

4. Such other information which may be required by the sheriff.

B. This information shall be recorded on forms furnished by the sheriff. At the end of each week, such dealer shall file with the sheriff such completed form with respect to each secondhand concealable weapon purchased or taken in trade during such week by such dealer.

Section 5.44.040 Delivery of firearms.

A. No concealable weapon shall be delivered:

1. Within fifteen days of the application for the purchase thereof; nor

2. Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

B. When delivered, such concealable weapon shall be unloaded and securely wrapped.

Section 5.44.050 Advertising or display.

No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

Section 5.44.060 Breach of conditions.

Upon the breach of any of the above-stated conditions any license issued pursuant to this chapter shall be subject to forfeiture.

Section 5.44.070 Violation—Penalty.

Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars, or by imprisonment for a period of not more than six months in the County Jail, or by both such fine and imprisonment.

Chapter 5.54 Swap Meets and Swap Lots

Section 5.54.090 Prohibited articles.

It is unlawful for any person to exchange, barter, trade or sell firearms or explosives in a swap meet.

Title 9 Public Peace, Morals and Welfare

Chapter 9.48 Firearms

Section 9.48.040 Firearms prohibited on trails.

It is unlawful for any person to carry or possess or discharge any pistol, revolver, shotgun, rifle or any other firearm or device fired or discharged with explosives on or from any portion of any riders' and hikers' trail within the city which is bounded on both sides by privately owned real property, riders' and hikers' trail as used in this chapter refers to any trail established under Article 6 of Chapter 1 of Division 5 of the Public Resources Code of the state of California.

Section 9.48.080 Firearms and explosives in city premises.

A. No firearm, whether or not loaded or operable, and no explosive or explosive device whether or not operable, shall be brought into or possessed within any premises owned or leased by the city in which public business is conducted without the written permission of the chair of the city council or the city manager.

B. The provisions of subsection A of this section shall not be applicable to city employees or court personnel who use, possess or have custody of firearms, explosives and explosive devices in the course of their official duties.

C. The provisions of subsection A of this section regarding firearms shall not be applicable to any person exempted by state law from compliance therewith.

Chapter 4 Business Regulations
Article 4-30 Sales of Firearms

Section 4-30.010 Authority for Article.

This Article is enacted pursuant to the authority granted to the City under Part 4, Title 2, Chapter 1, Article IV, (commencing with Section 12070) of the Penal Code. All references made to "licenses" and "licensing" in the aforementioned statutes shall be deemed to refer to "permits" and "permitting" under this Article.

Section 4-30.020 Permit required.

(a) No person shall engage in the business of selling, transferring, advertising or exposing for sale or transfer any firearms without first obtaining a permit to do so pursuant to this Article. For the purposes of this Article, engaging in the business of selling or transferring firearms does not include the infrequent sale or transfer, offering, exposing for sale, or advertising for sale any firearms at a gun show, swap meet or similar event, such as internet sales. As used in this Section, "**infrequent**" means occasional and without regularity.

(b) Any person desiring to engage in the business of selling firearms for which a permit is required under the provisions of this Article shall also apply for and obtain a business license pursuant to Article 4-05 of this Chapter and pay the license fee specified in Section 4-05.100. No such business license shall be issued unless and until the applicant has first obtained a valid permit under this Article.

Section 4-30.030 Application for permit; fee; investigation by Community Development Director.

(a) Application for a permit hereunder shall be made to the Community Development Director on such form as he may prescribe, which shall include the following:

(1) and address of the applicant.

(2) Where the applicant has resided and where he has engaged in business for five years next preceding the date of application, the length of time at each address, the number of any telephone maintained by him and the character of such business.

(3) The particulars in regard to any felony or misdemeanor offense for which the applicant or any principal of the applicant has been convicted.

(4) A recent passport type photo of the applicant and his fingerprints.

(5) Address or other description of the property at which the business will be conducted, and the name and address of the owner of such property.

(6) Such other information and documents as the Community Development Director may require.

(b) The application shall be accompanied by a processing fee in such amount as established from time to time by resolution of the City Council.

(c) Upon receipt of the application and other documents and the fee as required in subsections (a) and (b) of this Section, the Community Development Director shall conduct such investigation as he deems appropriate to determine whether a permit should be issued. In connection therewith, the Community Development Director shall forward a copy of the application to the County Sheriff, for determination as to background of the applicant and whether the applicant has ever been convicted of a felony or misdemeanor offense involving theft, dishonesty, violence or moral turpitude, and determination as to whether the sale of firearms by the applicant would constitute a violation of State law.

The County Sheriff shall indicate on the application that the proposed permit is either approved or disapproved or approved subject to specified conditions, and shall return the application to the Community Development Director.

Section 4-30.040 Grounds for denial of application.

The Community Development Director shall deny issuance of a permit based upon any of the following grounds:

(a) Disapproval of the application by the County Sheriff.

(b) A determination that the conduct of the business at the proposed location would not be in compliance with all zoning requirements and other rules, regulations and ordinances of the City.

Section 4-30.050 Issuance of permit; term; conditions.

If a permit is issued by the Community Development Director, it shall be in the form as prescribed by the State Attorney General, to be effective for not more than one year from the date of issue. The permit shall be subject to all of the

conditions as set forth in Section 12071 of the Penal Code and such other conditions as may be imposed by the County Sheriff.

Section 4-30.060 Renewal of permit.

A permit issued under this Article may be renewed for a period not exceeding one year upon application to the Community Development Director, accompanied by payment of a renewal fee in such amount as established from time to time by resolution of the City Council. The Community Development Director shall renew the permit if he finds that all of the requirements of this Article have been satisfied by the permittee and no conditions of the permit have been violated.

Section 4-30.070 Transferability of permit.

No permit issued under this Article shall be transferable and any attempted transfer shall invalidate the permit.

Section 4-30.080 Suspension or revocation of permit.

(a) Any permit issued under this Article may be suspended or revoked by the Community Development Director for any reason that would justify a refusal to issue the permit originally, or by reason of any failure by the permittee to comply with all of the provisions of this Article, or any other provision of this Code, or any condition of such permit.

(b) The holder of the permit shall be given prompt notice of the intention to suspend or revoke his permit. Such notice shall fix a time and place, not less than five nor more than thirty days after service thereof, at which the holder of the permit may appear before the Community Development Director and be granted a hearing upon the merits of the suspension or revocation. If, after such hearing the permit is ordered suspended or revoked, the holder shall have the right to appeal such action to the City Council.

Section 4-30.090 Appeals to City Council.

Any decisions rendered pursuant to this Article with respect to the issuance, denial, suspension or revocation of a permit, or the conditions thereof, may be appealed to the City Council by the applicant or permittee or other interested person in accordance with the procedure set forth in Section 2-05.030 of this Code.

Section 4-30.100 Compliance with State law.

The holder of any permit issued pursuant to this Article shall be subject to and shall comply with the regulations and conditions as set forth in Part 4, Title 2, Chapter 1, Article IV (commencing with Section 12070) of the Penal Code.

Section 4-30.110 Violations of Article.

The violation of any provision contained in this Article, or the violation of any condition of a permit issued hereunder, is hereby declared to be unlawful and shall constitute a misdemeanor, subject to the penalties as prescribed in Chapter 3 of this Code and the penalties as prescribed in the Penal Code. The enforcement of this Article pursuant to Chapter 3 shall be in addition to any proceedings conducted under Section 4-30.070 for revocation or suspension of the permit or any proceedings conducted under Article 4-05 of this Chapter to revoke a business license by reason of the same violation.

Chapter 6 Public Safety
Article 6-15 Miscellaneous Offenses

Section 6-15.090 Weapons; sale to persons under eighteen years of age.

(a) No person shall sell or give to any minor in the City who is at least sixteen years of age but not over the age of eighteen years, without the written consent of the parent or legal guardian of such minor, or to any minor under the age of sixteen years, any rifle, gun, pistol, revolver, air rifle, BB or pellet gun, crossbow, slingshot, or other instrument of any kind from which or by means of which any bullet or other missile of any kind may be projected capable of causing bodily harm.

(b) Any violation of this Section shall constitute a misdemeanor.

Scotts Valley Code of Ordinances

Codified through Ordinance No. 56.2, enacted January 17, 2018. (Supp. No. 28)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.38 Firearms Dealers

Section 5.38.010 Purpose.

This chapter is enacted pursuant to state law, as set forth in Article 1, Chapter 2, Division 6, Title 4, Part 6 of the California Penal Code beginning with Section 26700 et seq.

Section 5.38.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Firearm" means a device as defined by California Penal Code Section 16520.

B. "City license" means a license issued by the local licensing authority pursuant to this chapter authorizing a person to engage in the sale, lease, transfer, delivery, advertisement or offer for sale, lease, or transfer of firearms.

C. "Local licensing authority" or **"licensing officer"** means the City Manager of the City of Scotts Valley, or his or her designee.

Section 5.38.030 City license.

On and after the effective date of this ordinance, no person required to obtain a Federal Firearms License and a State Department of Justice License to sell firearms shall establish a business that engages in the sale, lease, transfer, delivery, advertisement or offer for sale, lease, or transfer any firearm without first also obtaining and keeping a one-time city license issued pursuant to this chapter by the local licensing authority. Existing firearms dealers at the effective date of this ordinance have twelve months to comply with the conditions and obtain a city license.

Section 5.38.040 Application for city license.

A. Each person applying for a city license under this chapter shall submit an application to the local licensing authority.

B. In order to obtain a city license, the applicant must first provide the following to the licensing officer:

1. A valid federal firearms license;

2. A valid seller's permit issued by the State Board of Equalization;

3. A valid certificate of eligibility issued by the Department of Justice;

4. Payment of a nonrefundable administrative fee, in an amount to be established by resolution of the city council.

C. Where the applicant is a corporation, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized corporate officer of said corporation. Where the applicant is a partnership, each of the requirements contained in this chapter must be completed and/or adhered to by a legally recognized general partner of said partnership. Both the individual and the corporation or partnership shall be liable for any violation of the provisions of this chapter.

D. Each application shall specify only one location at which the sale or transfer of firearms shall take place. If any firearms dealer licensed under either federal, state or local law changes his or her place of business, an application for the new location shall be submitted, accompanied by a nonrefundable fee (in the form of a check or cash) as set forth in the schedule of fees. That application shall be considered an initial application and not an application for renewal.

Section 5.38.050 Approval by licensing officer.

The licensing officer shall have the authority to approve or disapprove the issuance of the city license. For the purpose of considering requests for a city license, the licensing officer shall apply the minimum standards set forth in this chapter. Factors to be considered by the licensing officer in approval or denial of the application for a city license include, but are not limited to:

A. Evidence of the applicant's compliance with all applicable city, state and federal laws;

B. Whether applicant has violated any provisions of this chapter;

C. Whether the applicant has made any false statements as to any material fact in applying for the city license;

D. Whether the applicant has done or caused or permitted to be done any act which if done by an authorized firearms dealer would be grounds for suspension or revocation of the city license;

Section 5.38.060 Denial of application.

If the applicant does not meet all of the written standards, hereinabove set forth, the licensing officer shall not issue a city license to such applicant.

It shall be the duty of the licensing officer to notify an applicant that his or her application has been denied by serving such person, either personally or by first class United States mail, with a letter setting forth the reason(s) for such denial. The notice, if served by mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the applicant's address of record. The notice shall also inform the applicant of his or her right to a hearing before the city council at which time the applicant may appear, with a representative if so desired, and be heard on the matter. The applicant shall also be given notice that any request for a hearing before the city council must be made in writing to the city clerk within ten calendar days after the date on which such notice is served on the applicant.

Section 5.38.070 Appeal from denial.

An applicant whose application has been denied by the licensing officer shall have the right to appeal such decision to the city council. The city council shall hold a hearing thereon pursuant to the procedures set forth in Section 5.38.110.

Section 5.38.080 Requirements.

A. The permitted business location shall be secured by a third party monitored alarm system. The alarm system shall be of sufficient quality to thwart the bypassing of the alarm (e.g., wireless, hardened security of the wire system, etc.).

B. The permitted business location shall be monitored by a video surveillance system.

C. Any person licensed under this chapter shall obey all applicable city, state and federal laws; and in addition, comply with the following requirements:

1. The business shall be carried on only in the building designated in the city license;

2. The city license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be seen.

D. Any time a permitted business is not open for business, every firearm shall be stored in one of the following ways:

1. In a locked safe or vault in the licensee's business premises that meets the standards of 11 California Code of Regulations Section 4100; or

2. Secured with a hardened steel rod or cable of at least one-fourth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises. No more than five firearms may be affixed to any one rod or cable at any time.

E. Prior to issuance of a firearms dealer license, the chief of police shall inspect the proposed business location and determine if additional safety measures are necessary to protect the public health, safety and welfare, including, but not limited to, any structural changes to the building in which the firearms are sold or stored that are necessary to secure such firearms from burglary or theft.

Section 5.38.090 Suspension and revocation.

Every city license issued under this chapter shall be subject to summary suspension and revocation by the licensing officer if he or she determines that:

A. The city license holder has failed to meet any of the requirements specified under this chapter;

B. The city license holder and/or any employee(s) has violated any of the conditions or provisions of this chapter;

C. The city license holder and/or any employee(s) has violated any provision of federal or state firearms sales laws;

D. The city license holder's federal firearms sales license has been revoked; or

E. The city license holder has committed any act which could have resulted in the denial of issuance of a firearms license.

Section 5.38.100 Notification of suspension or revocation.

It shall be the duty of the licensing officer or his or her designee to notify any city license holder charged with any violation or misconduct, as described above, by serving such person, either personally or by first class United States mail, with a letter setting forth the particular written standard or condition which has been violated. The letter shall inform such city license holder of the right to a hearing before the city council, at which time the city license holder may appear with a representative if so desired and be heard in defense of the charges. The city license holder shall also be given notice that any request for a hearing before the city council must be made in writing to the city clerk within ten calendar days after the date on which notice is served on the city license holder. The suspension or revocation shall be effective on the date the notice is served on the city license holder. Such notice, if served by United States mail, shall be deemed to have been served on the date of its deposit in the United States mail, postage prepaid, to the city license holder's address of record.

Section 5.38.110 Hearing on revocation or suspension.

A. Any applicant or licensee who is aggrieved by any action taken in regard to a city license may request an appeal hearing before the city council. Request for such hearing shall be in writing and filed with the city clerk, and a copy filed with the licensing officer on or before ten calendar days after the action appealed from was taken, and shall state the grounds upon which the aggrieved party claims there was improper denial, suspension or revocation of his or her license.

B. Upon receipt of such request for hearing, the city council shall set the matter for hearing not later than twenty calendar days thereafter unless the council is not in session in which case the council shall set the matter for hearing at the next available regular meeting date. The council may also determine whether to stay the denial, suspension or revocation pending decision on the appeal. Written notice of the time and place of hearing on the matter shall be given by the city clerk to the aggrieved party and to the licensing officer, and upon receipt of the notice of hearing the licensing officer shall forward to the city council and provide to the appellant a report on this action with respect to the matter, attaching all relevant notices and any other materials relied upon by the licensing officer in making the decision.

C. Upon hearing of the matter, the city council may take such action or make such orders as the council deems just and proper in the disposition of the matter.

Section 5.38.120 Violations.

It shall be unlawful and a violation of this chapter for any person, corporation, partnership or other entity to operate a firearms business within the City of Scotts Valley without a valid city license issued pursuant to this chapter.

Section 5.38.130 Penalties.

Any person or entity, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter, shall be guilty of an infraction for the first offense, or of a misdemeanor for any subsequent offense(s) occurring within the one year after the first offense. Upon conviction, the person convicted shall be punished in accordance with Chapter 4.04 of the Scotts Valley Municipal Code.

Title 17 Zoning
Chapter 17.04 Definitions

Section 17.04.090 Definition of "F" terms.

"Firearms" means a device as defined by California Penal Code Section 16520.

"Firearms retail" means a use providing retail sale of firearms.

Chapter 17.20 C-S Service Commercial Zoning District Regulations

Section 17.20.030 Conditional uses.

The following conditional uses may be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

U. Firearms retail.

Chapter 17.220. C-S Shopping Center Commercial Zoning District Regulations

Section 17.22.030 Conditional uses.

The following conditional uses may be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

L. Firearms retail.

Seaside Code of Ordinances
Codified through Ordinance No. 1010, passed November 21, 2013. (Supp. No. 7)

Title 5 Business Licenses and Regulations
Chapter 5.36 Firearms Sales

Section 5.36.010 Firearms defined.

The term **"firearms,"** as used in this chapter, includes, but is not limited to, handguns, rifles, shotguns, gas or air guns, springloaded guns and other weapons coming under the definition of firearms as defined in the California Penal Code.

Section 5.36.020 Applicability.

Private persons selling their own firearms shall be exempted from the purview of this chapter. For the purposes of this chapter, a person selling three or more firearms in any calendar year shall be presumptively deemed to be engaged in the commercial sale of firearms and shall be required to comply with the terms of this chapter.

Section 5.36.030 Requirements generally.

No person shall engage in the business of selling, offering for sale, or displaying for sale, or storing preparatory for sale, any firearm within the city limits of Seaside unless the person has fully complied with all of the following conditions:

A. The seller shall hold a Federal Firearms Permit and shall meet all the provisions of the Gun Control Act of 1968.

B. The seller shall comply with all applicable sections of the California Penal Code relating to registration of sales of firearms.

C. The seller shall have obtained a permit from the chief of police authorizing the storage of firearms within the city of Seaside. The permit shall be renewable annually and shall be issued only upon a showing that the seller has a Federal Firearms Permit and has taken steps to insure the safety of his firearms from burglary, theft and fire. The chief of police shall have the right, in conjunction with the building inspector, to require as a condition for the issuance of a permit, structural changes to the building in which the firearms are sold or stored, with the structural changes, specifically

including, but not limited to, the installation of burglar alarms and other warning devices, to be such as are reasonably related to the purpose of insuring the safety of such firearms from burglary or theft.

Section 5.36.040 Permit, Fee.

The fee for issuance of an annual permit shall be twenty-five dollars. The annual fee shall be paid at the time the application is obtained from the chief of police and is nonrefundable.

Section 5.36.050 Permit, Duration, Nontransferable.

Permits issued by the chief of police shall be valid for a period of one year from the date of issuance and shall not be transferable from one person to another or from one location to another.

Section 5.36.060 Permit, Revocation.

A permit issued under the provisions of this chapter shall be revoked by the chief of police upon proof to his satisfaction of a violation by the holder of such permit of this chapter, or any ordinance of the city or law of the state regulating or establishing standards for the commercial sale of firearms.

Section 5.36.070 Permit, Appeal of suspension or revocation.

A. Any such person, whose permit issued under the provisions of this chapter having been so suspended or revoked, shall have the right to appeal to the city council in writing within three days after notification of such suspension or revocation, or within thirty days after denial thereof, and to be heard by the city council with relation thereto at its next regular or regular-adjourned meeting, or at a special meeting of the city council called for such purpose, and the action of the city council upon such appeal shall be final and conclusive with respect to the suspension or revocation of such permit.

B. In the event that such appeal is taken as provided in subsection A of this section, such business or occupation, where such permit has already been granted, shall not be suspended or revoked until the final disposition of the appeal by the city council.

Section 5.36.080 Violation, Penalty.

Any person violating any part of this chapter shall be guilty of an infraction and, upon conviction thereof, shall be punishable as provided in Section 1.16.030.

Title 15 Buildings and Construction
Chapter 15.24 Minimum Building Security Standards

Section 15.24.070 Minimum security standards for nonresidential buildings.

I. Alarm Systems-Tenant Requirements.

1. Establishments listed in this subdivision and those businesses reasonably similar in nature should be protected by a silent robbery and intrusion alarm, direct-connect, unless otherwise specified by the police department prior to occupancy.

j. Gun and ammunition stores;

Shafter Code of Ordinances
Codified through Ordinance No. 708, passed November 6, 2018. (Supp. No. 18, Update 2)

Title 9 Public Peace, Morals and Welfare
Chapter 9.24 Offenses By or Against Minors

Section 9.24.017 Firearms, tobacco and narcotics prohibited in a school safety zone.

It is unlawful for any person to offer for sale, or provide any person with any firearms, any form of tobacco or any drug from any schedule of the Health and Safety Code while in a school safety zone, while instruction is in progress. This prohibition does not apply to peace officers or licensed medical personnel performing their official duties.

Sierra County Code of Ordinances
Codified through Ordinance No. 1084, passed September 18, 2018.

Title 6 Business Licenses and Regulations
Chapter 6.15 Firearms Dealer Licenses

Section 6.15.010 Purpose.

The Board of Supervisors finds that in order to comply with this chapter and the requirements of Part 4, Title 2, Chapter 1 of the California Penal Code (Cal. Penal Code §§ 12071 et seq.), it is necessary to require any person wishing to sell firearms within the county to obtain a special firearms dealer's license from the Sierra County Sheriff's office.

Section 6.15.020 Restrictions.

No person shall engage in the business of selling, transferring, advertising, offering, or exposing for sale or transfer any pistol, revolver or other firearm capable of being concealed upon the person unless he has been issued a license pursuant to the Cal. Penal Code § 12071, and this chapter of the Sierra County Code. As used in this chapter, engaging in the business of selling or transferring concealable firearms does not include the infrequent sale or transfer, offering, exposing for sale, or advertising for sale any handgun at a gun show, swap meet or similar event.

Section 6.15.030 Compliance with statute.

Any license hereunder shall at all times comply with Cal. Penal Code § 12071.

Section 6.15.040 Term of license.

This license shall be valid for a period not to exceed one year from the date of issue, and shall be subject to those conditions required by Cal. Penal Code § 12071.

Section 6.15.050 Record check.

The Sierra County Sheriff will require each applicant for a firearms dealer's license to submit an application, obtained from their office, and fingerprint cards to be submitted to the Department of Justice for review prior to the issuance of the license.

Section 6.15.060 Conditions for license issuance.

If the Sheriff finds that the applicant has a criminal record involving one or more felonies, or one or more misdemeanors which involve the use or misuse of firearms or a crime involving moral turpitude, or the applicant's conduct history falls below the standard set forth in Cal. Penal Code § 12050, the Sheriff shall not issue a license. Residency shall not be a requirement for issuance of firearms dealer's license.

Section 6.15.070 Revocation.

Violation of this chapter, or the conviction of any licensee of a felony, or any crime involving moral turpitude shall be grounds for revocation or nonrenewal of any license issued hereunder.

Section 6.15.080 Fees.

Each applicant for a special business license to sell firearms will pay a fee, determined by the Sheriff's office, that adequately reimburses the Sheriff's office for the application processing costs.

Section 6.15.090 Appeal.

Any applicant or licensee who disputes a decision of the Sheriff in connection with this chapter may file an appeal to the Sierra County Uniform Appeal Committee, which appeal shall be governed by the terms of the Sierra County Uniform Appeal Procedure.

Sierra Madre Code of Ordinances

Codified through Ordinance No. 1390, passed November 28, 2017. (Supp. No. 30)

Title 17 Zoning

Chapter 17.36C Commercial Zone

Section 17.36.020 Permitted uses and uses permitted by conditional use permit.

The following uses shall be permitted in the Commercial Zone where the symbol "P" appears, and shall be permitted upon approval of a conditional use permit where the "CUP" symbol appears, pursuant to Section 17.60. All such uses shall be within an enclosed building unless specifically stated otherwise. All other uses are prohibited, provided, however, that the director of development services may determine that any use not listed is similar to a listed use and to be treated in a similar manner. In the event that there is ambiguity as to the appropriate classification of a particular use, the planning commission shall consider the matter and shall recommend to the city council the appropriate clarification of such ambiguity, pursuant to Section 17.12.030. A list of all approved similar use determinations shall be kept on file in the development services department.

A	Retail Sales	
	Gun shops	CUP

Signal Hill Code of Ordinances
Current through Ordinance 2018-09-18-1502, passed September 25, 2018, and effective October 25, 2018.

Title 20 Zoning
Chapter 20.20 Commercial Districts

Section 20.20.010 Purpose of districts.

The commercial and industrial districts listed below shall have the following purposes:

A. The CO commercial office district is intended to provide areas for the development of professional offices and limited commercial uses. Other permitted uses will include commercial offices, medical offices and hospitals.

B. The CTC commercial town center district is intended to serve as a concentrated commercial core for the city. Retail outlets typical of community shopping centers or districts along with general retail uses and professional offices will be among the uses permitted in this district.

C. The CG commercial general district is intended to provide for a wide variety of service and retail uses, many of which are highway-oriented. The portion of this district along Pacific Coast Highway should be treated with special zoning and development standards due to unique characteristics including, but not limited to small lot sizes, substantial existing nonconforming development, nonconforming and illegal sign proliferation, and lack of off-street parking.

D. The CR commercial residential district is intended to provide for limited small scale commercial and office uses along, or in conjunction with, medium density residential uses. Such mixed uses on a single parcel shall be compatible and where possible, mutually supportive.

E. The CI commercial industrial district is intended to provide for a wide variety of commercial uses and limited compatible light industrial uses. Commercial or industrial uses which might create offensive levels of noise, air pollution, glare, radioactivity or other nuisances shall be prohibited from this district.

F. The LI light industrial district is designed to accommodate a variety of light industrial uses which are nonpolluting and which can coexist with surrounding land uses. In addition, limited complimentary commercial uses shall be permitted.

G. The GI general industrial district is intended to provide for the development of a variety of general industrial and service uses which do not generate obnoxious or offensive impacts which might affect persons residing or conducting business in the city.

Section 20.20.020 Use classifications.

The uses stated below shall be classified and authorized in each district as shown on the table. Unlisted uses shall be prohibited.

Uses	Districts						
	CO	CTC	CG	CR	CI	LI	GI
Retail							
Firearms (SBP)	X	X	X	X	X	X	X

X - Prohibited

Chapter 20.30 SP-10 Pacific Coast Highway Specific Plan

Section 20.30.030 Use classification.

The uses stated below shall be classified and authorized in each area within the SP-10, PCH specific plan as shown on the table. Unlisted uses shall be prohibited.

X = prohibited

Uses	Districts		
	Area 1	Area 2	Area 3
Firearms (SBP)	X	X	X

Simi Valley Code of Ordinances
Codified through Ordinance No. 1287, passed March 5, 2018. (Supp. No. 36)

Title 5 Public Welfare
Chapter 22 Weapons

Section 5-22.01 Firearm defined.

For the purposes of this chapter, "firearm" shall mean and include rifle, shotgun, pistol, revolver, bow and arrow, or any air, gas, or spring weapon, or any other device from which any shot, bullet, or projectile is discharged by force of

gunpowder, pressure, or other explosive, including any projectile which carries or contains its own fuel and is propelled by reaction.

Section 5-22.10 Use by minors.

It shall be unlawful for any person under eighteen (18) years of age to possess in a public place in the City any firearm, bow and arrow, or air, gas, or spring weapon, except as follows:

(a) Under supervision. When such person is in the immediate charge of a parent, guardian, or adult person having the responsibility for the conduct of such person under eighteen (18) years of age;

(b) Hunting. When such person is lawfully hunting pursuant to the provisions of the Fish and Game Code of the State;

(c) Training. When such person is engaged in marksmanship training or firearm safety training under the supervision of a competent adult instructor at an established range or shooting area; and

(d) Dismantled. When such person is carrying a firearm unloaded and either in a dismantled or "take-down" condition, or completely wrapped, or in a carrying case made for the purpose of carrying such firearm.

Section 5-22.12 Reporting lost or stolen firearms.

(a) Any person residing or doing business in the City, who owns or possesses a firearm, as defined in the Penal Code, shall report the theft or loss of the firearm to the Simi Valley Police Department within seventy-two (72) hours after his or her discovery or knowledge of the theft or loss.

(b) Any person residing or doing business in the City, who has experienced the loss or theft of a firearm, as defined in the Penal Code, in the City within the five (5) years prior to September 13, 2007, without the firearm having been recovered during such time, shall report the theft or loss to the Simi Valley Police Department within ninety (90) days of September 13, 2007.

(c) Any person who fails to report a lost or stolen firearm pursuant to this section, when the person knew or should have known of the theft or loss, is guilty of a misdemeanor and is punishable as provided in Chapter 2 of Title 1 of this Code.

Siskiyou County Code of Ordinances

Codified through Ordinance No. 18-09, adopted September 4, 2018. (Supp. No. 46)

Title 6 Businesses, Professions, and Trades
Chapter 1 Business Licensing

Section 6-1.21 License fees.

Every person conducting or maintaining any business, occupation, or service set forth in this section shall pay an annual license fee in the amount of Seventy-six ($76.00) Dollars:

(ar) Firearms and Ammunition Dealers;

Solana Beach Code of Ordinances

Codified through Ordinance No. 488, passed July 10, 2018.

Title 4 Business Taxes, Licenses and Regulations
Chapter 4.24 Firearms Dealers

Section § 4.24.010 Firearms dealers.

Subject to the provisions of Chapters 4.02 and 4.04 SBMC, the provisions of Title 2, Division 1 of the County Code of Regulatory Ordinances, commencing with Section 21.1201, relating to firearms dealers, as amended to October 26, 2007, are adopted by reference.

Title 7 Public Peace, Morals and Welfare
Chapter 7.20 Firearms

Section § 7.20.020 Ammunition sales.

A. "Firearm ammunition," as used in this section, shall include any ammunition for use in pistols, revolvers, rifles, shotguns, or any other device designed to be used as a weapon from which is expelled a projectile by the force of explosion or other form of combustion.

B. Except as specified in subsection C or D of this section, no person, including retail gun dealers, shall sell, give, lend or transfer ownership of any firearm ammunition during the period of seven days prior to the first day of January of each year or on the first day of January of each year, or during the seven days prior to the Fourth of July of each year or on the Fourth of July of each year.

C. Nothing in this section shall prohibit the sale or transfer of ownership of firearm ammunition by a wholesale gun dealer to another wholesale gun dealer or by a wholesale gun dealer to a retail gun dealer, or of ammunition from which the propellant has been removed and the primer has been permanently deactivated.

D. Nothing in this section shall prohibit sales to or acquisitions by any person described in Section 12302 or 12322 of the Penal Code of the state of California.

E. The provisions of this section shall not apply to the sale of firearm ammunition when such sale is prohibited by Title 2, Part 4, of the Penal Code of the state of California.

Soledad Code of Ordinances
Codified through Ordinance No. 716, adopted April 4, 2018. (Supp. No. 3)

Title 9 Public Peace, Morals and Welfare
Chapter 9.18 Firearms/weapons discharge or operation*

Section 9.18.030 Firearms possession by minors.

No minor under the age of sixteen years shall possess or use firearms of .22 caliber or greater, or air guns, BB guns, blow guns, slingshots, or bow or crossbow, except under the direct supervision and control of an adult.

Section 9.18.040 Penalty for violation.

Any person or persons violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars and not more than one thousand dollars, or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Notwithstanding the foregoing, any violation of this chapter constituting a misdemeanor may, in the discretion of city, be charged and prosecuted as an infraction.

Sonoma County Code of Ordinances
Codified through Ordinance No. 6244, passed September 11, 2018. (Supp. No. 47)

Chapter 19A Small Arm Device Ordinance
Article I Small Arm Device Ordinance

Section 19A-1 Definitions.

(a) For purposes of this ordinance, the term **"small arm device"** shall mean any pistol, revolver, gun, rifle of any caliber, shotgun of any gauge, air gun, BB gun, blow gun, slingshot, longbow, crossbow, or any weapon or instrument which throws or propels bullets, pellets or missiles of any kind by means of explosive powder, compressed or forced air or gas, springs, elastic rubber or like substance or force.

Section 19A-3 Possession and use of small arm device by minor.

(a) No minor under the age of twelve (12) years may be in possession of a small arm device in the county of Sonoma unless such minor is accompanied by his parent, guardian or a responsible adult.

(b) No minor over the age of twelve (12) years and under the age of fourteen (14) years may be in possession of a small arm device in the county of Sonoma unless such minor (1) is accompanied by his parent, guardian or a responsible adult or (2) is on the private property of his parent or guardian and has on his person both the dated written permission of his parent or guardian to be in possession of said small arm device and one of the following: (i) a valid California Hunting License, or (ii) a California Hunter's Safety Certificate, or (iii) if in possession of a speargun, a valid California Fishing License.

(c) No minor over the age of fourteen (14) years and under the age of eighteen (18) years may be in possession of a small arm device in the county of Sonoma unless such minor (1) is accompanied by his parent, guardian or responsible adult, or (2) has on his person the dated written permission of his parent or guardian to be in possession of said small arm device and one of the following: (i)a valid California Hunting License, or (ii) a California Hunter's Safety Certificate, or (iii)if in possession of a speargun, a valid California Fishing License.

(d) No minor in possession of a small arm device may be on private property in the county of Sonoma unless such minor is accompanied by the owner or controller of such property or is in possession of the dated written consent of the owner or controller of such property.

(e) For purposes of this section, the term "**responsible adult**" shall mean a person over eighteen (18) years of age in immediate possession of (1) a valid California Hunting License, or (2) a California Hunter Safety Certificate or (3) a California Fishing License if the small arm device which is possessed by the minor is a speargun.

(f) Violation of this section is a misdemeanor and shall be punishable on first offense by fine of twenty-five dollars ($25.00) and on each subsequent offense by fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00).

Section 19A-4 Responsibility of parent or guardian.

(a) Any parent or guardian who permits or suffers a minor in his care and custody to violate any provisions of this ordinance shall be guilty of a misdemeanor punishable on first offense by fine of twenty-five dollars ($25.00) and on any subsequent offense by fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00). Any such parent or guardian shall be liable for any damages suffered by third persons or agencies by reason of violation of this ordinance by the said minor to the full extent provided by state law.

Article II License to Sell Firearms

Section 19A-10 Sheriff designated as licensing authority.

The Sheriff is designated as the licensing authority for the regulation of the business of selling, leasing or transferring firearms pursuant to the provisions of the Penal Code Section 12071.

Section 19A-11 Licensing fees.

The Sheriff is authorized and directed to collect a fee for the administration of the licensing required by Penal Code Section 12071. The fee will be established by ordinance of the board of supervisors of the county.

Chapter 26 Sonoma County Zoning Regulations
Article 88 General Exceptions and Special Use Standards

Section 26-88-121 Home Occupations.

(a) Limitations on Use. The following business activities are prohibited as home occupations:

(8) Gun and weapon sales or repairs, gunsmithing;

Section 26-88-122 Live/Work Uses.

(b) Limitations on Uses. The following business activities are prohibited as live/work uses:

(8) Gun and weapons sales;

South El Monte Code of Ordinances
Codified through Ordinance No. 1227, passed May 8, 2018. (Supp. No. 42)

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.04 County Business Licensing Ordinance Adopted

Section 5.04.045 Section 7.04.010 amended.

Notwithstanding the provisions of Section 5.04.010 of this Code, the county license ordinance is amended by amending Section 7.04.010 to read:

7.04.010 License, Required. A license shall be procured immediately before the continuance under the provisions of this title, or the commencement of any business, occupation or other activity hereafter specified, from the Finance Director of the city, which license shall authorize the party obtaining the same to transact the business or engage in the activity described in such license for the period named therein in the city. Businesses, occupations or other activities requiring licenses in the city are as follows:

21. Gun Dealers

Title 9 Public Peace, Morals and Welfare
Chapter 9.36 Weapons
Article III Possession and Use of Weapons by Minors

Section 9.36.060 Sale or gift of weapon to minor.

Except as otherwise provided in Section 9.36.090, it shall be unlawful in the city for any person to sell, give, loan or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen years any gun, revolver, pistol, firearm, spring gun, air gun, sling, sling shot, or device designed or intended to discharge, or capable of discharging, any dangerous missile.

Section 9.36.070 Furnishing ammunition to minor.

Except as otherwise provided in Section 9.36.090, it shall be unlawful in the city for any person to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of

eighteen years any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

Section 9.36.090 Exception, Approval of parent or guardian.

Nothing in this chapter shall be deemed or construed to prohibit the selling, giving, loaning or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.36.060 and 9.36.070; nor to prohibit any such person under the age of eighteen years from having in his possession, care, custody and control any article mentioned in Section 9.36.080 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting or operating any article mentioned in Section 9.36.080 when such person is accompanied by, and under the direct care and control of, some adult person and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed or is lawfully engaged in shooting at any inanimate target, or trap shooting device, while accompanied by, and under the direct care and control of, some such adult person.

Article V Saturday Night Specials

Section 9.36.130 Saturday Night Specials, Sale prohibited.

A. Definition. Except as provided in subsection B of this section, the term "Saturday Night Special," as used in this section shall mean any of the following:

1. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001 (a), which contains a frame, barrel, breechblock, cylinder or slide that is not completely fabricated of heat treated carbon steel, forged alloy or other material of equal or higher tensile strength.

2. A semi-automatic pistol which:

a. Is not originally equipped by the manufacturer with a locked-breech action; and

b. Is chambered for cartridges developing maximum permissible breech pressures above 24,100 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute.

c. For purpose of this subsection (2), "semi-automatic pistol" shall mean a firearm, as defined in California Penal Code Section 12001 (b), which is designed to be held and fired with one hand, and which does the following upon discharge: (i) fires the cartridge in the chamber: (ii) ejects the fired cartridge case; and (iii) loads a cartridge from the magazine into the chamber. "Semi-automatic pistol" shall not include any assault weapon designated in California Penal Code Section 12276.

3. A pistol, revolver, or firearm capable of being concealed upon the person, as those terms are defined in California Penal Code Section 12001 (a), which:

a. Uses an action mechanism which is substantially identical in design to any action mechanism manufactured in or before 1898 that was originally chambered for rimfire ammunition developing maximum permissible breech pressures below 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

b. Is chambered to fire either centerfire ammunition or rimfire ammunition developing maximum permissible breech pressures above 19,000 Copper Units of Pressure as standardized by the Sporting Arms and Ammunition Manufacturers Institute; and

c. Is not originally equipped by the manufacturer with a nondetachable safety guard surrounding the trigger; or

d. If rimfire, is equipped with a barrel of less than 20 bore diameters in overall length protruding from the frame.

e. For purpose of this subsection (3), "action mechanism" shall mean the mechanism of a firearm by which it is loaded, locked, fired and unloaded.

B. Exclusions. The term "Saturday Night Special" does not include any of the following:

1. Any pistol which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of subsection (b) of California Penal Code Section 12020; or

2. Any pistol for which the propelling force is classified as pneumatic, that is, of, or related to, compressed air or any other gases not directly produced by combustion.

3. Children's pop guns or toys; or

4. An "unconventional pistol" as defined in California Penal Code Section 12020(c)(12): or

5. Any pistol which has been modified to either render it permanently inoperable or permanently to make it a device no longer classified as a "Saturday night special."

C. Roster of Saturday Night Specials. The city manager or his/her designee shall compile, publish and thereafter maintain a roster of Saturday night specials. The roster shall list those firearms, by manufacturer and model number, which the city manager or his/her designee determines satisfy the definition of Saturday night special set forth in Section 9.36.060(A).

D. Publication. The city manager or his/her designee shall publish the roster of Saturday night specials on a semi-annual basis and shall send a copy of the roster to every dealer within the city who is licensed to sell and transfer firearms pursuant to Section 12071 of the Penal Code of the state of California.

E. Sale Prohibited. No wholesale or retail gun dealer shall sell, offer or display for sale, give, lend or transfer ownership of, any firearm listed on the roster of Saturday night specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the state of California. This section shall not be enforced until the roster of Saturday night specials has been completed and published in accordance with subsections (C) and (D) of this section.

F. Exemptions. Nothing in this section shall prohibit the disposition of any Saturday night special by police departments, sheriff's offices, marshals offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or the United States for use in the discharge of their official duties; nor shall anything in this section prohibit the use of any Saturday night special by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of such firearms is within the scope of their duties.

Chapter 9.60 Lodging Establishment Excessive Service Calls

Section 9.60.030 Certain activities at lodging establishments prohibited.

A. It shall be unlawful for any person to cause or allow any of the following activity at or in any lodging establishment owned or occupied by him or her:

10. The manufacture, sale, possession, or use of a firearm in violation of the Dangerous Weapons Control Law (Penal Code 12000 et seq.).

South Gate Code of Ordinances

Current through Ordinance No. 2344, passed December 12, 2017.

Title 2 Licenses – Business Regulations
Chapter 2.10 Business Regulation

Section 2.10.630 Gun dealer.

A. Definitions. For purposes of this section, the following term shall have the following meaning:

"**Gun dealer**" means any person who sells or otherwise transfers to members of the public any pistol, revolver or other firearm, new or used, capable of being concealed upon the person.

B. Application Information.

1. Permit Form. Any permit issued to operate a business as a gun dealer shall be on a form provided by the State Attorney General.

2. Application Form. Notwithstanding any other provision of this chapter, every applicant for a business permit as a gun dealer shall complete the application form provided by the State Attorney General.

C. Operating Requirements. All permits issued under this section are subject to the following conditions, breach of any of which shall subject the business permit to revocation:

1. The business activity shall be carried on only in the building designated in the permit.

2. The permit, or a copy thereof, shall be posted in a conspicuous place on the premises in which the business is being conducted.

3. No pistol, revolver or other firearm capable of being concealed upon the person shall be delivered within fifteen days of the application for the purchase, or, after notice by the Department of Justice ("Department") pursuant to subdivision (c) of Section 12076 of the State Penal Code, within fifteen days after submission to the Department of corrected copies of the register, or within fifteen days after submission to the Department of any fee required pursuant to subdivision (d) of Section 12076 of the State Penal Code, whichever is later:

i. Unless unloaded and securely wrapped, or unloaded and in a locked container;

ii. Unless the purchaser or transferee is either personally known to the dealer or presents clear evidence of his or her identity to the dealer.

4. No pistol, revolver or other firearm capable of being concealed upon the person shall be delivered whenever the dealer is notified by the Department that a purchaser is in a prohibited class described in Section 12021 or 12021.1 of the Penal Code, or Section 8100 or 8103 of the Welfare and Institutions Code.

5. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of the premises where it can readily be seen from the outside.

6. The permittee shall agree to and shall act properly and promptly in processing transfers of pistols, revolvers, and other firearms capable of being concealed upon the person.

7. The permittee shall comply with Sections 12073 and 12077 and subdivision (b) of Section 12072 of the State Penal Code.

South Lake Tahoe Code of Ordinances
Current through Ordinance No. 1122, passed August 21, 2018.

Title 4 Police/Code Enforcement
Chapter 4.75 Dangerous Weapons Control

Section 4.75.010 Definitions.

For the purposes of this chapter, the term "**dangerous weapon**" shall mean and include:

F. Any rifle, gun, pistol, revolver, air rifle, BB gun, air gun, slingshot or other similar instrument or device designed or intended to discharge or cap able of discharging a bullet, shot, or other missile of any kind.

Section 4.75.040 Use, possession, discharge, sale of dangerous weapons by minors – Generally.

Except as otherwise provided in SLTCC 4.75.050, it shall be unlawful for any person to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon. For the purposes of this chapter only, a minor is a person who is under the age of 18 years.

Section 4.75.050 Use, possession, discharge, sale of dangerous weapons by minors – Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in SLTCC 4.75.010(F); nor to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some person over the age of 21 years.

Section 4.75.070 Public offense by state law.

The provisions of this chapter shall not apply to the commission of any act which is made a public offense by any law of this state.

South Pasadena Code of Ordinances
Current through Ordinance No. 2326, passed October 17, 2018.

Title 18 Business, Professions and Trades
Article I License Requirements

Section 18.2 Definitions.

For the purpose of Articles I through IV of this chapter, certain words and phrases are defined and certain provisions shall be construed as herein set forth, unless it is apparent from the context that a different meaning is intended.

16. "Firearms sale" means the business of selling at retail, pistols, revolvers, or other firearms capable of being concealed upon the person. The license issued hereunder shall be issued in a form prescribed by the Attorney General of the state, and shall be issued in the manner and upon the conditions required by the statutes of California.

Section 18.60 Specialty business classification.

The license tax for specialty businesses shall be as set and adjusted by resolution of the city council.

(10) Firearms;

Section 18.80 Permit required for certain businesses.

No person shall operate, and no license shall be issued for, any of the following businesses until a permit has first been obtained upon application in writing for such permit pursuant to this article:

(j) Firearms;

South San Francisco Code of Ordinances
Current through Ordinance No. 1562-2018 and the October 2018 code supplement.

Title 8 Health and Welfare
Chapter 8.66 Video Surveillance ant Businesses

Section 8.66.020 Definitions.

"Firearms sales" means an establishment that is required to obtain a federal firearms permit to sell firearms, or an establishment engaged in the selling, dealing in, trading, or transferring of firearms.

Section 8.66.030 Video surveillance system required.

Every business establishment, as defined by this chapter, is hereby required to install and maintain a video surveillance system in accordance with this chapter. All businesses with a video surveillance system installed prior to the effective date of the ordinance codified in this chapter are required to ensure the video surveillance system is in full compliance with this chapter. Video surveillance systems shall be maintained in proper working order at all times and shall be in operation twenty-four hours a day, seven days a week, and shall meet the minimum technological standards established in this chapter.

Title 15 Buildings and Construction
Chapter 15.48 Minimum Security Standards

Section 15.48.070 Minimum security standards for nonresidential buildings.

(i) Alarm Systems.

(1) Establishments listed in this subdivision and those businesses reasonably similar in nature shall be protected by a central station silent robbery alarm, unless otherwise specified by the police department.

(K) Gun and ammunition stores;

(2) Establishments listed in this subdivision and those businesses reasonably similar in nature shall be protected by a central station silent intrusion alarm, unless otherwise specified by the police department.

(J) Gun and ammunition stores;

Title 20 Zoning
Division II Base and Overlay District Regulations
Part I Base Districts
Chapter 20.110 Employment Districts

Section 20.110.002 Land Use Regulations.

Table 20.110.002 below prescribes the land use regulations for "Employment" Districts. The regulations for each district are established by letter designations as follows:

"C" designates use classifications that are permitted after review and approval of a Conditional Use Permit by the Planning Commission.

"-" designates uses that are not permitted.

Use classifications are defined in Chapter 20.620 ("Use Classifications"). In cases where a specific land use or activity is not defined, the Chief Planner shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Ordinance.

Table 20.110.002 Land Use Regulations—Employment Districts

Use Classification	BC	BTP	FC	MI	Additional Regulations
Commercial Use					
Retail Sales	See sub-classifications below				
Firearm Sales	-	-	-	C	

Division IV Regulations Applying to Some or All Districts
Part II Standards and Requirements for Specific Uses
Chapter 20.350 Standards and Requirements for Specific Uses and Activities

Section 20.350.023 Home Occupations.

S. The following uses are not permitted as a home occupation:

6. Firearms manufacture, sales, or repair;

Section 20.350.039 Pawnbrokers.

E. Customer Circulation and Display. The business shall dedicate at least 25% of the gross floor area to customer circulation and the display of goods for sale to the public. The display of firearms is prohibited and any firearm sales shall be an accessory use to the operation of the Pawnbroker business.

Division IV General Terms
Chapter 20.620 Use Classifications

Section 20.620.004 Commercial Use Classifications.

Retail Sales.

Firearm Sales. An establishment engaged in the selling, dealing in, trading, or transferring firearms.

Chapter 20.630 Terms and Definitions

Section 20.630.002 Definitions.

Firearm. A gun, pistol, revolver, rifle or any devise, designed or modified to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion.

St. Helena Code of Ordinances
Current through Ordinance No. 18-7, passed October 23, 2018.

Title 17 Zoning
Chapter 17.52 Service Commercial (SC) District

Section 17.52.030 Conditional uses.

The following list of uses requires approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.52.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the SC zoning district. When a use permit is considered for a use in the SC district the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the SC zoning district:

Gunsmith;

Stockton Code of Ordinances
Current through Ordinance No. 2018-09-18-1502 and October 2018 code supplement.

Title 9 Public Peace and Welfare
Chapter 9.52 Dangerous or Deadly Weapons

Section 9.52.010 "Dangerous or deadly weapon," defined.

"Dangerous or deadly weapon" includes, but is not limited to: … any firearm other than:

A. Carried pursuant to a valid permit issued by a duly authorized government authority, or

B. any ordinary rifle or shotgun lawfully carried for purposes of hunting or other lawful sport.

Chapter 9.60 Licensee to Sell Firearms

Section 9.60.010 Sale of concealed firearms.

It is unlawful to sell pistols, revolvers, or other firearms capable of being concealed upon the person, at retail, within the City, without a license issued in the manner herein provided for.

Section 9.60.020 License to sell.

The City Manager is hereby authorized to issue licenses to sell, at retail, within the City, pistols, revolvers, and other firearms capable of being concealed upon the person. Such licenses shall be issued in the form prescribed by the Attorney General and shall be effective for not more than 1 year from date of issue.

Section 9.60.030 License, Chief of Police to approve.

The said licenses shall be issued only after a report in writing concerning said prospective licensee has been made by the Chief of Police to the City Manager. Said licenses shall not be issued to any person who:

A. Has been convicted of a felony and has served a term of imprisonment therefor in a State or Federal prison;

B. Has been convicted of any violation of the Dangerous Weapons Control Law of the State; or

C. Is not of good moral character.

Section 9.60.040 License, Revocation.

Any of the reasons which would prevent the original issuance of said license shall also make the revocation of said license mandatory by the City Manager.

Sunnyvale Code of Ordinances
Current through Ordinance No 3139-18 and the December 2018 code supplement.

Title 9 Public Peace, Safety or Welfare
Chapter 9.43 Firearms Sales

Section 9.43.010 Definitions.

The following words and phrases, whenever used in this section, shall be construed as follows:

(a) "Engaged in the business" means the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm; or the selling, transferring, or leasing of any firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.

(b) "Firearm" means any revolver, rifle, shotgun or any other device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or any other form of combustion. A "firearm" includes any device defined as a firearm by the California Penal Code as said definition now reads or may hereafter be amended to read.

(c) "Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or advertising for, sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm.

(d) "Person" means natural person, association, partnership, firm, or corporation.

(e) "Semiautomatic centerfire rifle" means any repeating rifle that is fired by a strike from a firing pin in the center of a flat cartridge head, which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge. (Ord. 3135-18 § 1).

Section 9.43.020 License required.

No person shall engage in the business of selling, transferring or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease within this city any firearm unless that person has been issued a license pursuant to the provisions of this chapter.

Section 9.43.030 Application—Form—Fees.

(a) An applicant for a license under this chapter shall file with the chief of public safety a sworn application in writing, on a form to be furnished by the city. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws when required by the chief of public safety, or the application will not be deemed complete. The application shall be accompanied by a nonrefundable fee as set forth in the city's fee schedule.

(b) Any person proposing to engage in business as a firearms dealer within this city shall secure the applicable federal license and shall have thirty calendar days after approval of such federal license to apply for a city license in compliance with the provision of this chapter and shall not engage in the business as a firearms dealer within the city until the city license is issued.

Section 9.43.040 Application—Investigation.

The chief of public safety shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the license may be issued. The chief of public safety may require additional information of an applicant which he or she deems necessary to complete the investigation.

Section 9.43.050 Application—Denial.

(a) The chief of public safety shall issue a license to an applicant unless he or she finds any of the following:

(1) The applicant, or an officer, employee, or agent thereof is under the age of twenty-one years;

(2) The applicant is not licensed as required by all applicable federal, state, and local laws;

(3) The applicant, or an officer, employee, or agent thereof has had a similar type of license previously revoked or denied for good cause within the immediately preceding year;

(4) The applicant, or an officer, employee, or agent thereof has knowingly made any false or misleading statement of a material fact or omission of a material fact in the application for a license;

(5) The applicant, or an officer, employee, or agent thereof has been convicted of:

(A) Any offense so as to disqualify the applicant, or an officer, employee, or agent thereof from owning or possessing a firearm under applicable federal, state, and local laws,

(B) Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,

(C) Any offense involving the use of force or violence upon the person of another,

(D) Any offense involving theft, fraud, dishonesty, or deceit,

(E) Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

(6) The applicant, or an officer, employee, or agent thereof is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read, or is an excessive user of alcohol, to the extent that such use would impair his or her fitness to be a firearms dealer;

(7) The applicant, or an officer, employee, or agent thereof has been adjudicated as a mental defective, or has been committed to a mental institution, or suffers from any psychological disturbance which would impair his or her fitness to be a firearms dealer;

(8) The operation of the business as proposed will not comply with all applicable federal, state, and local laws;

(9) The applicant, or an officer, employee, or agent thereof does not have and/or cannot provide evidence of, a possessory interest in the property at which the proposed business will be conducted;

(10) The operation of the firearm dealer business as proposed in the application for the license will violate any applicable building, fire, health or zoning requirements set forth in this code.

Section 9.43.060 License—Duration—Renewal.

All licenses issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that such licenses may be renewed by the chief of public safety for additional periods of one year upon approval of an application for renewal by the chief of public safety payment of the renewal fee. Such renewal application must be received by the chief of public safety, in completed form, no later than forty-five days prior to the expiration of the current license.

Section 9.43.070 License—Assignment.

The assignment or attempt to assign any license issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a license shall render the license null and void.

Section 9.43.080 License—Conditions.

Any licenses issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the license by the chief of public safety:

(a) The business shall be carried on only in the building located at the street address shown on the license, except for gun shows as permitted under state and federal law;

(b) The license or a copy thereof, certified by the chief of public safety, shall be displayed on the premises where it can easily be seen;

(c) The licensee shall comply with all federal and state firearms laws;

(d) The licensee shall comply with all provisions of California Penal Code Section 26700 et. seq. regarding business regulations and building specifications for firearm security, as well as any other security plan or requirements imposed by the chief of public safety;

(e) The licensee shall not operate in a manner that is detrimental to the public health or safety or otherwise constitutes a nuisance;

(f) The licensee shall comply with all federal, state and local laws and ordinances;

(g) The licensee shall not sell, supply, deliver, or give possession or control of any semiautomatic centerfire rifle to any person under twenty-one years of age. This prohibition does not apply to the sale, supplying, delivery, or giving possession or control of a semiautomatic centerfire rifle to any of the following persons who are at least eighteen years of age:

(1) An active peace officer, as described in Penal Code Section 830 et seq., who is authorized to carry a firearm in the course and scope of his or her employment.

(2) An active federal officer or law enforcement agent who is authorized to carry a firearm in the course and scope of his or her employment.

(3) A reserve peace officer, as defined in Penal Code Section 832.6, who is authorized to carry a firearm in the course and scope of his or her employment as a reserve peace officer.

(4) A person who provides proper identification of his or her active membership in the United States Armed Forces, the National Guard, the Air National Guard, or active reserve components of the United States. For purposes of this subparagraph, proper identification includes an Armed Forces Identification Card or other written documentation certifying that the individual is an active member.

Any license issued pursuant to this chapter shall be subject to such additional conditions as the chief of public safety finds are reasonably related to the purposes of this chapter. (Ord. 3135-18 § 1).

Section 9.43.090 License—Grounds for modification, suspension or revocation.

A license may be modified, suspended or revoked by the chief of public safety for any of the following grounds:

(a) The licensee has violated a condition of the license or any provision of this code.

(b) The licensee has knowingly made any false, misleading or fraudulent statement of material facts in the application for a license, or in any report or record required to be filed with the city.

(c) The licensee has continued to operate after the license has been suspended.

(d) The existence of the condition of the premises that constitutes a nuisance or is hazardous or unsafe for human occupancy.

Section 9.43.100 License—Hearing.

(a) Any person whose application for a license has been denied, or whose license has been revoked pursuant to the provisions of this chapter, shall have the right to a hearing before the chief of public safety prior to final denial or prior to revocation.

(b) The chief of public safety shall give the applicant or licensee written notice of his or her intent to deny the application or to modify, suspend or revoke the license. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to modify, suspend or revoke the license, and shall inform the applicant or licensee that he or she has ten days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the license modified, suspended or revoked if a written hearing request is not received within the ten-day period.

(c) If the applicant or licensee files a timely hearing request, the chief of public safety shall set a time and place for the hearing. All parties involved shall have the right to offer testimony, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the chief of public safety whether to deny the application or to modify, suspend or revoke the license is final.

Section 9.43.110 License—Liability insurance.

No license shall be issued or continued pursuant to this chapter unless there is in full force and effect a policy of insurance in such form as the city deems proper, executed by an insurance company approved by the city.

Section 9.43.120 License—Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the license from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, or provisions of this chapter. A public safety investigator may conduct compliance inspections to ensure conformance with all federal, state, and local laws, and the provisions of this chapter. A warrant shall be obtained whenever required by law.

Section 9.43.130 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm on the effective date of the ordinance codified in this chapter shall have a period of sixty days after such effective date to comply with the provisions of this chapter.

Chapter 9.44 Firearms

Section 9.44.030. Duty to report theft or loss of firearms.

Any person who owns or possesses a firearm (as defined in Penal Code Section 16520 or as amended) shall report the theft or loss of the firearm to the Sunnyvale Department of Public Safety within forty-eight hours of the time he or she

knew or reasonably should have known that the firearm had been stolen or lost, whenever: (1) the person resides in the city of Sunnyvale; or (2) the theft or loss of the firearm occurs in the city of Sunnyvale.

Section 9.44.040. Safe storage of firearms.

Except when carried on his or her person, or in his or her immediate control and possession, no person shall keep a firearm (as defined in Penal Code Section 16520 or as amended) in any residence owned or controlled by that person unless the firearm is stored in a locked container, or the firearm is disabled with a trigger lock that is listed on the California Department of Justice's list of approved firearms safety devices.

Section 9.44.060. Ammunition sales.

(a) It is unlawful for any person to engage in the business of selling, leasing, or otherwise transferring firearm ammunition within the city of Sunnyvale except in compliance with this code.

(b) Definitions.

(1) "Ammunition" means any cartridge or encasement containing a bullet or projectile, propellant, or explosive charge, and a primer which is used in the operation of a firearm.

(2) "Ammunition vendor" means any person engaged in the business of selling, leasing, or otherwise transferring firearm ammunition.

(3) "Person" means a natural person, association, partnership, firm, corporation, or other entity.

(c) Every ammunition vendor shall maintain an ammunition sales log which records all ammunition sales made by the vendor. The transferee shall provide, and the ammunition vendor shall record on the ammunition sales log, at the time of sale, all of the following information for each sale of firearms ammunition:

(1) The name, address, and date of birth of the transferee;

(2) The date of the sale;

(3) The transferee's driver's license number, state identification card number, passport number, or other valid government-issued photographic identification;

(4) The brand, type, and quantity of firearms ammunition transferred;

(5) The identity of the person transferring the firearms ammunition on behalf of the ammunition vendor;

(6) The transferee's signature and right thumbprint.

(d) The ammunition sales log shall be recorded on a form approved by the chief of public safety. All ammunition sales logs shall be kept at the location of the firearms ammunition sale for a period of not less than two years from the date of the sale. Ammunition sales logs shall be open to reasonable inspection by peace officers at all times the ammunition vendor is regularly open for business.

(e) No person shall knowingly provide false, inaccurate, or incomplete information to an ammunition vendor for the purpose of purchasing firearms ammunition. No ammunition vendor shall knowingly make a false, inaccurate, or incomplete entry in any ammunition sales log, nor shall any ammunition vendor refuse any reasonable inspection of an ammunition sales log subject to inspection.

Sutter County Code of Ordinances

Codified through Ordinance No 1647, enacted May 8, 2018. (Supp. No. 2).

Title 400 Public Peace - Morals

Chapter 425 Dangerous or Deadly Weapons

Section 425-010 Dangerous or deadly weapons defined.

Dangerous or Deadly Weapons as defined in this Chapter include:

"Dangerous or deadly weapons" includes, but is not limited to: Any dirk or dagger; …; and any firearm other than (1) carried pursuant to a valid permit; issued by a duly authorized governmental authority, or (2) any ordinary rifle or shotgun lawfully carried for purposes of hunting or other lawful sport.

Section 425-050 Certain conduct prohibited.

It shall be unlawful for any person who has concealed upon his person or who has in his immediate physical possession any dangerous or deadly weapon to be upon or about any school, school yard, playground or public place at or near which school children attend.

Temecula Code of Ordinances
Current through Ordinance 18010 and the November 2018 code supplement.

Title 17 Zoning
Chapter 17.08 Commercial/Office/Industrial Districts

Section 17.08.020 Description of commercial/office/ industrial districts.

The purpose and intent of the zoning districts are described as follows:

A. Neighborhood Commercial (NC).
B. Community Commercial (CC).
C. Highway/Tourist Commercial (HT).
D. Service Commercial (SC).
E. Professional Office (PO).
F. Business Park District (BP).
G. Light Industrial District (LI).

Section 17.08.030 Use regulations.

The land uses list in the following Table 17.08.030 shall be permitted in one or more of the commercial zoning districts as indicated in the columns corresponding to each residential district. Where indicated with a letter "P," the use shall be a permitted use. Where indicated with a "-," the use is prohibited within the zone. A letter "C" indicates the use shall be conditionally permitted subject to the approval of a conditional use permit.

Table 17.08.030 Schedule of Permitted Uses

Commercial/Office/Industrial Districts							
Description of Use	NC	CC	HT	SC	PO	BP	LI
Guns and firearm sales	-	P	-	P	-	-	-

Chapter 17.22 Planned Development Overlay Zoning District (PDO-)
Article II Pala Road Planned Development Overlay District-1

Section 17.22.106 Use regulations.

The list of permitted land uses for the Pala Road planned development overlay district is contained in Table 17.22.106. Where indicated with a letter "P" the use shall be a permitted use. A letter "C" indicates the use shall be conditionally permitted subject to the approval of a conditional use permit. Where indicated with a "-" the use is prohibited within the zone.

Table 17.22.106 Schedule of Permitted Uses

Pala Road Planned Development Overlay District-1	
Description of Use	PDO-1
Guns and firearm sales	-

Article IV Nicholas/Winchester Planned Development Overlay District-3

Section 7.22.126 Use regulations.

The list of permitted land uses for the Nicolas/Winchester planned development overlay district is contained in Table 17.22.126. Where indicated with a letter "P" the use shall be a permitted use. A letter "C" indicates the use shall be conditionally permitted subject to the approval of a conditional use permit. Where indicated with a "-", the use is prohibited within the zone.

Table 17.22.126 Schedule of Permitted Uses

Northwest Corner of Nicolas and Winchester Roads Planned Development Overlay District -3	
Description of Use	PDO-3
Guns and firearm sales	-

Article V Temecula Creek Village Planned Development Overlay District-4

Section 17.22.136 Use regulations.

The list of permitted land uses for the Temecula Creek Village planned development overlay district is contained in Table 17.22.136B. Planned development overlay-4 contains three different planning areas. Two of the areas are commercial, the third is residentially based. A copy of the planning area map for this PDO is contained in Exhibit 17.22.136A. The three areas are identified as follows:

Retail/support commercial (identified as planning area PDO-4R in Table 17.22.136B);

Village commercial area (identified as planning area PDO-4V In Table 17.22.136B); and

Where indicated with a letter "P" the use shall be a permitted use. A letter "C" indicates the use shall be conditionally permitted subject to the approval of a conditional use permit. Where indicated with a "-", the use is prohibited within the zone.

Table 17.22.136B Schedule of Permitted Uses

Temecula Creek Village Planned Development Overlay District-4		
Description of Use	PDO-4R	PDO-4V[6]
Guns and firearm sales	P	-

Article VII Rancho Pueblo Planned Development Overlay District-6

Section 17.22.166 Land uses.

A. Use Matrix. The land uses listed in the following table will be permitted in the Rancho Pueblo planned development overlay (RPPDO), only as indicated. Where indicated with a letter "P" the use will be a permitted use. A letter "C" indicates the use will be conditionally permitted subject to the approval of a conditional use permit. Where indicated with the symbol "-" the use is prohibited within the Rancho Pueblo PDO area.

Table 17.22.166A

Rancho Pueblo Matrix of Permitted Uses	
Guns and firearm sales	-

Article IX. De Portola Road Planned Development Overlay District-8

Section 7.22.196 Use regulations.

The list of permitted land uses for the De Portola Road planned development overlay district is contained in Table 17.22.196. Where indicated with a letter "P", the use shall be a permitted use. A letter "C" indicates the use shall be a conditionally permitted subject to the approval of a conditional use permit. Where indicated with a "-", the use is prohibited within the zone.

Table 17.22.196 Schedule of Permitted Uses

De Portola Road Planned Development Overlay District-8	
Description of Use	PDO-8
Guns and firearm sales	-

Thousand Oaks Code of Ordinances

Current city legislation passed through September 30, 2018.

Title 3 Finance
Chapter 17 Swap Meets

Section 3-17.06 Prohibited sales, trades, exchanges, or bartering.

No person, firm, or corporation at any swap meet, whether the operator, or an exhibitor, or any other person or entity, shall sell, exchange, or display, or offer for sale or exchange or barter, at any swap meet any of the following items of personal property:

(b) Any handgun, rifle, shotgun, or other type of firearm by whatever name, or any deadly weapon;

Title 5 Public Welfare, Morals and Conduct
Chapter 11 Weapons

Section 5-11-02 Discharge or possession by minors.

(b) No minor shall possess in any public place any gun, rifle, or pistol as described in Section 5-11.01 of this chapter, except as follows:

(1) When such minor is in the immediate charge and supervision of a parent, guardian, or adult person having the responsibility for the conduct of such minor, regardless of whether the gun, rifle, or pistol is capable of being immediately discharged or whether it is unloaded or in a dismantled or "take-down" condition or completely wrapped or in a carrying case made for the purposes of carrying such firearm; and

(2) When such minor is engaged in marksmanship training or firearm safety training at an established range or shooting area, as provided and regulated in Section 5-11.01 of this chapter, under the supervision of a competent adult instructor.

Section 5-11-03 Reporting lost or stolen firearms.

(a) Any person residing or doing business in the City, who owns or possesses a firearm, as defined in the Penal Code, shall report the theft or loss of the firearm to the Thousand Oaks Police Department within seventy-two (72) hours after his or her discovery or knowledge of the theft or loss.

(b) Any person residing or doing business in the City, who has experienced the loss or theft of a firearm, as defined in the Penal Code, in the City within the five years prior to 4/19/2007, without the firearm having been recovered during such time, shall report the theft or loss to the Thousand Oaks Police Department within ninety (90) days of 4/19/2007.

(c) Any person who fails to report a lost or stolen firearm pursuant to this Section 5-11.03, when the person knew or should have known of the theft or loss, is guilty of a misdemeanor and is punishable as provided in Section 1-2.01 of this code.

Tiburon Code of Ordinances

Codified through Ordinance No. 579 N.S., passed July 18, 2018. (Supp. No. 27, 8-18)

Title IV Land Improvement and Use
Chapter 16 Zoning
16-22 Commercial Zones

Section 16-22.030 Commercial zones allowable land uses and permit requirements.

2. Conditional uses permitted in the NC zone. The following uses shall be permitted only when a conditional use permit is granted, as provided in section 16-52.040 (conditional use permit). Additional uses, similar or accessory to those listed below, may be conditionally permitted by resolution of the commission.

Firearms sales

16-52 Permit Review and Decisions

Section 16-52.110 Home occupations.

B. General criteria. Home occupations shall be limited to the following uses:

4. Firearms sales, as defined in article X (Definitions) of this chapter, are not permitted as a home occupation.

16-100 Definitions

Section 16-100.020 Definitions of specialized terms and phrases.

As used in the zoning ordinance, the following terms and phrases shall have the meaning ascribed to them in this section unless the context in which they are used clearly requires otherwise.

"Firearms sales". A business licensed to sell, lease or transfer firearms or ammunition pursuant to California Penal Code Sections 26700 to 26915 and 30300 to 30365, or successor sections thereto.

Title VI Public Health, Safety and Welfare
Chapter 32 Regulation of Firearms
Article I Regulation of Firearms Dealers

Section 32-1 Definition of firearm.

"Firearm" means any device, designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by force of explosion or other means of combustion.

Section 32-2 Definition of firearm dealer.

"Firearm dealer" and **"licensee",** as used in this article, means any person licensed to sell, lease or transfer firearms pursuant to California Penal Code Section 12071(a)(1).

Section 32-2A Definition of Police, Chief, Sheriff.

"Police" or **"police department"** as used in this chapter shall mean the Town of Tiburon Police Department. **"Chief"** as used in this chapter shall mean the chief of police or his designee. **"Sheriff'** as used in this chapter shall mean the Marin County sheriff or his designee.

Section 32-3 Chief's permit required.

It is unlawful for any firearms dealer to sell, lease or transfer firearms without a permit issued by the chief.

Section 32-4 Application.

(a) An applicant for a permit or renewal of a permit under this chapter shall file with the chief an application in writing, signed under penalty of perjury, on a form prescribed by the town. The applicant shall provide all relevant information requested to demonstrate compliance with this chapter including:

(1) The name, including any aliases or prior names, age and address of the applicant;

(2) The applicant's Federal Firearms License and California Firearms Dealer numbers;

(3) The address of the proposed location for which the permit is required, together with the business name, and the name of any corporation, partnership or association that has ownership in, or control over, the business, if any;

(4) The names, ages and addresses of:

(A) All persons who will have access to or control of workplace firearms, including but not limited to, the applicant's employees, agents and/or supervisors, if any;

(5) Proof of a possessory interest in the property at which the proposed business will be conducted in the form of ownership, lease, license or other entitlement to operate at such location and the written consent of the owner of record of the real property;

(6) A floor plan of the proposed business, which illustrates the applicant's compliance with security provisions as outlined in Section 32-7 of this chapter;

(7) Proof of compliance with town zoning requirements at the proposed location by presentation of a zoning clearance letter from the planning director of the Town of Tiburon or his designee. The planning department may adopt an appropriate fee to implement this requirement;

(8) Proof of compliance with all federal and state licensing laws;

(9) Information relating to every license or permit to sell, lease, transfer, purchase, or possess firearms sought by the applicant from any jurisdiction in the United States, including, but not limited to, the date of application; whether each application resulted in the issuance of a license and the date and circumstances of any revocation or suspension;

(10) Information relating to every revocation of a license or permit relating to firearms, including, but not limited to, date and circumstances of the revocation;

(11) Applicant's agreement to indemnify, defend and hold harmless the town, its officers, agents and employees from and against all claims, losses, costs, damages and liabilities of any kind, including attorney fees arising in any manner out of the applicant's negligence or intentional or willful misconduct;

(12) Certification of satisfaction of insurance requirements;

(13) The date, location, and nature of all criminal convictions of the applicant, if any, in any jurisdiction in the United States.

(b) The application shall be accompanied by a nonrefundable fee of twenty-five dollars for administering this chapter. The fee may be increased by resolution of the town council upon evidence of the actual cost of administering the application. The council finds that the twenty-five dollar fee is reasonable and proper for administering this chapter and, in fact, represents a fraction of the cost that will be incurred by the police in processing the application.

Section 32-5 Investigation by chief.

The chief shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief shall require an applicant, or any officer, agent or employee thereof, that will have access to or control of firearms to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the chief, and any other additional information which the chief considers necessary to complete the investigation.

Section 32-6 Conditions of approval.

In addition to other requirements and conditions of this chapter, a permit by the chief is subject to the following conditions, the breach of any of which is sufficient cause for revocation of the permit by the chief:

(a) The business shall be carried on only in the building located at the street address shown on the permit. This requirement, however, does not prohibit the permittee from participating in a gun show or event that is authorized by federal, state and local law upon compliance with that law and upon compliance with any Town of Tiburon ordinance regulating the permissible locations of gun shows;

(b) The chief's permit or a certified copy of it shall be displayed on the premises and at gun shows where it can be easily seen;

(c) The applicant shall not permit any person under eighteen years of age to enter or remain within the premises without being accompanied by the parent, grandparent, or legal guardian for the minor child where the firearm sales activity is the primary business performed at the site.

Section 32-7 Requirement of a secured facility.

Firearms dealers must comply with California Penal Code Section 12071(b)(14) which provides:

At any time the licensee is not open for business, the licensee shall store all firearms kept in his or her licensed place of business using one of the following methods as to each particular firearm:

(a) Store the firearm in a secure facility as defined by Penal Code Section 12071(c)(3) that is part of, or that constitutes, the licensee's business premises;

(b) Secure the firearm with a hardened steel rod or cable of at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable shall be secured with a hardened steel lock that has a shackle. The lock and shackle shall be protected or shielded from the use of a bolt cutter and the rod or cable shall be anchored in a manner that prevents the removal of the firearm from the premises.

(c) Store the firearm in a locked fireproof safe or vault on the licensee's premises.

Section 32-8 Liability insurance.

(a) No permit issued by the chief shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the town and executed by an insurance company approved by the town, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease or transfer or offering for sale, lease or transfer of a firearm. The minimum liability limits shall not be less than one million dollars for each incident of damage to property or incident of injury or death to a person; provided, however, that increased limits of liability may be required by the town attorney if deemed appropriate in his or her sole discretion.

(b) The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the town manager at least thirty days prior to the time the cancellation becomes effective;

(c) Upon expiration of a policy of insurance and if no additional insurance is obtained immediately, the permit is considered canceled without further notice.

Section 32-9 Issuance of permit issued by chief, Duration.

(a) The police department may grant a chief's permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including but not limited to, the State Penal Code, Town Building Code, fire, zoning and planning codes;

(b) A permit issued by the chief expires one year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable twenty-five dollar renewal fee. The renewal application and the renewal fee must be received by the police department no later than forty-five days before the expiration of the current permit;

(c) A decision regarding issuance or renewal of a permit may be appealed in the manner provided pursuant to Section 32-12.

Section 32-10 Grounds for permit denial.

The chief shall deny the issuance or renewal of a chief's permit when one or more of the following conditions exist:

(a) The applicant has not complied with the requirements of this chapter or, has violated the provisions of Section 32-20 of the municipal code pertaining to prohibited activity in connection with the sale, display or transfer of "Saturday night specials";

(b) The applicant, or any officer, employee or agent thereof who will have access to and control of firearms is under twenty-one years of age;

(c) The applicant is not licensed as required by federal and state law;

(d) The applicant or any officer, employee or agent thereof who will have access to or control of firearms has had a license or firearms permit to sell, lease, transfer, purchase or possess from any jurisdiction in the United States revoked, suspended or denied for good cause within the immediately preceding five years;

(e) The applicant or any officer, employee or agent thereof who will have access to or control over firearms has made a false or misleading statement of a material fact or omission of a material fact in the application for a police permit. If a permit is denied on this ground, the applicant is prohibited from reapplying for a permit for a period of five years;

(f) The applicant or any officer, employee or agent thereof who will have access to or control over firearms has been convicted of:

> **(1)** An offense which disqualifies that person from owning or possessing a firearm under federal, state and local law, including, but not limited to, the offenses listed in Penal Code section 12021;
>
> **(2)** An offense relating to the manufacture, sale, possession, use or registration of a firearm or dangerous or deadly weapon;
>
> **(3)** An offense involving the use of force or violence upon the person of another with a deadly weapon;
>
> **(4)** Any felony, misdemeanor burglary or misdemeanor fraud;

(5) An offense involving the manufacture, sale, possession or use of a controlled substance as defined by the State Health and Safety Code.

(g) The applicant or any officer, employee or agent thereof who has control over firearms is within a class of persons defined in Welfare and Institutions Code Sections 8100 or 8103;

(h) The applicant or any officer, employee, or agent thereof who has control over firearms is currently, or has been within the past five years, an unlawful user of a controlled substance as defined by the Health and Safety Code;

(i) The operation of the business as proposed would not comply with federal, state or local law.

Section 32-11 Grounds for permit revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a chief's permit also constitute grounds for revocation.

Section 32-12 Hearing for permit denial or revocation.

(a) A person whose application for a permit is denied or revoked by the chief has the right to a hearing before the chief before final denial or revocation.

(b) Within ten days of the mailing of written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the chief. The request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the chief should set a time and place for the hearing within thirty days.

(c) The decision of the chief shall be in writing within ten days of the hearing. An applicant may appeal the decision of the chief to the town manager or his designee.

Section 32-13 Nonassignability.

A chief's permit issued under this section is not assignable. An attempt to assign a chief's permit renders the permit void.

Section 32-14 Compliance by existing dealers.

A person engaging in firearm sales activity on the effective date of this chapter or any amendment to it shall, within sixty days after the effective date, comply with this chapter and any amendment to it.

Section 32-15 Record of ammunition sales.

Every holder of a business license to sell ammunition shall maintain records pertaining to ammunition sales prescribed by this chapter on the licensed premises and in the manner prescribed herein. The record shall show:

(a) The date of the transaction;

(b) The purchaser's name, address and date of birth;

(c) The purchaser's driver's license number or other identification and state where issued;

(d) The brand of ammunition purchased;

(e) The type and amount of ammunition purchased;

(f) The purchaser's signature; and

(g) Log of ammunition sales.

The information required by this subsection 32-15(g) shall be completed in the logbook at the time of the purchase. Such information shall be recorded in the following format:

Ammunition Sales Registration Log Store:

Date	Address	Date of Birth	License/ID & State	Ammunition Brand	Ammunition Type & Amount	Purchaser Signature

(1) The record shall be maintained in chronological order by date of sale of the ammunition, and shall be retained on the licensed premises of the business licensee for a period of two years following the date of the purchase of the ammunition.

(2) At the direction of the chief, Town of Tiburon police officers may enter the premises of any licensed vendor of ammunition during regular business hours for the purpose of examining or inspecting any record required by this chapter.

Exception. The provisions of this section shall not apply to the sale of firearm ammunition by a firing range licensed to do business in the Town of Tiburon when the ammunition so purchased is expended on the premises of the range and not removed for use outside the range premises.

Section 32-16 Penalty.

(a) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this section is committed, continued or permitted by such person.

The Marin County district attorney is hereby designated as the prosecuting agency for violations of this article whenever such violations are to be charged as misdemeanors.

(b) Any person found to be in violation of this chapter shall be subject to the revocation of his or her law enforcement permit to sell, lease or transfer firearms.

(c) In addition to any other penalty or remedy, the county counsel or town attorney may commence a civil action to seek enforcement of these provisions. The town attorney may also elect to enforce this chapter by administrative citation pursuant to Chapter 31 of the municipal code.

Article IV Reporting Loss or Theft of Firearms

Section 32-27 Reporting of loss or theft of firearm.

It is unlawful for any person to fail to report to the police department the theft or loss of a firearm he or she owns or possesses within forty-eight hours of the time he or she knew or reasonably should have known that the firearm has been stolen or lost, if the person resides in the town or the loss or theft occurs in the town.

After July 5, 2016, it is unlawful for any person to fail to report to the police department the theft or loss of a firearm he or she owned or possessed within the five years prior to May 6, 2016 if the person resided in the town at the time of the loss or theft, or the loss or theft occurred in the town, unless the firearm has been recovered.

Pursuant to California Penal Code Section 11108, the chief of police shall submit a description of each firearm that has been reported lost or stolen directly to the California Department of Justice automated property system for firearms.

Section 32-28 Exceptions to reporting of loss or theft of firearm.

Section 32-27 shall not apply to the following persons:

(a) Law enforcement officials while engaged in their official duties;

(b) Members of the armed forces of the United States or the National Guard while engaged in their official duties;

(c) Firearms dealers and manufacturers licensed under federal and state law while engaged in the course and scope of their activities as licensees.

Section 32-29 Penalty for failing to report loss or theft of firearm.

(a) Any person violating section 32-27 is guilty of a misdemeanor;

(b) Any person who reports to any law enforcement officer, pursuant to section 32-27 of this chapter that a firearm has been lost or stolen, knowing the report to be false, is guilty of a misdemeanor.

Article V Regulating Handgun Storage

Section 32-30 Required storage of handgun in residence.

No person shall keep a handgun within a residence owned or controlled by that person unless the handgun is stored in a locked container or disabled with a trigger lock that has been approved by the California Department of Justice.

Section 32-31 Definitions related to handgun storage requirements.

(a) "Residence." As used in this section, "residence" is any structure intended or used for human habitation including but not limited to houses, condominiums, rooms, in-law units, motels, hotels, time-shares, recreational and other vehicles where human habitation occurs.

(b) "Locked container." As used in this section, "locked container" means a secure container that is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device.

(c) "Handgun." As used in this section, "handgun" means any pistol, revolver, or other firearm that is capable of being concealed upon the person, designed to be used as a weapon, capable of expelling a projectile by the force of any explosion or other form of combustion, and has a barrel less than sixteen inches in length.

(d) "Trigger lock." As used in this section, a "trigger lock" means a trigger lock that is listed in the California Department of Justice's list of approved firearms safety devices and that is identified as appropriate for that handgun by reference to either the manufacturer and model of the handgun or to the physical characteristics of the hand gun that match those listed on the roster for use with the device under California Penal Code Section 12088(d).

Section 32-32 Exceptions to handgun storage requirements set forth in section 32-30.

Section 32-31 shall not apply in the following circumstances:

(a) The handgun is carried on the person of an individual over the age of 18.

(b) The handgun is under the control of a person who is a peace officer under California Penal Code Section 830.

Section 32-33 Penalty for failing to properly store handgun in residence.

Every violation of section 32-30 shall constitute a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars or by imprisonment in the county jail not to exceed six months, or by both.

Torrance Code of Ordinances

Codified through Ordinance No. 3757, adopted April 24, 2012. (Supp. No. 29)

Division 4 Public Health and Welfare
Chapter 5 Offenses - Miscellaneous
Article 3 Firearms; Weapons

Section 45.3.6 Firearms, air guns, etc. In possession of minors.

It shall be unlawful for any person under the age of eighteen (18) years of age to have in his possession, custody or control, within the corporate limits of the City, any gun, revolver, pistol, spring or air gun, or firearm of any description or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description or any ammunition of any description containing any explosive.

Tustin Code of Ordinances

Codified through Ordinance No. 1497, adopted July 3, 2018. (Rev. 16-2018)

Article 3 Business Regulations
Chapter 1 General Business Regulations
Part 4 Definitions

Section 3141 Definitions

As used in this Article, the following terms and phrases shall have the meanings ascribed to them in this Part, unless the context in which they are used clearly requires otherwise. Terms and phrases that are not defined shall have the common meanings ascribed to them in Webster's or other dictionaries recognized as "standard."

Firearm. Any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

Weapon. Any firearm or explosive device, or any device designed to be used in offensive or defensive combat or for sport, whether or not the weapon will be so used, and which is otherwise allowed by law to be possessed or sold.

Chapter 5 Sale and Exchange of Property
Part 3 Weapons Business

Section 3531 Weapons business permit required

No person shall engage in the business of repairing, modifying, customizing, restoring, cleaning, purchasing, selling, leasing or transferring weapons, whether new or used, without first having obtained a weapons business permit therefor from the Director.

Section 3532 Prerequisites for weapons business permit

A person shall be disqualified from receiving a permit pursuant to this Part if he or she has been convicted of a felony.

The applicant shall file the following with the Director:

(1) A valid Federal Firearms License (FFL) issued by the Bureau of Alcohol, Tobacco, and Firearms.

(2) A valid sellers permit issued by the State Board of Equalization.

(3) A valid Certificate of Eligibility (COE) issued by the Department of Justice.

(4) A statement indicating all criminal convictions, including pleas of nolo contendere, within the last five (5) years, including those dismissed or expunged pursuant to Penal Code Section 1203.4 but excluding minor traffic violations, and the date and place of each such conviction and reason therefor.

Section 3533 Investigation

Upon receiving an application for a weapons business permit, the Director may cause an investigation of the applicant to be conducted by the Chief of Police.

Section 3534 Weapons business operations

a. Location

The business shall be carried on only at the location designated on the weapons business permit. Property of the business may be stored at other locations only with written consent of the Director and Chief of Police.

b. Weapons Storage and Safes

Weapons shall be stored in accordance with all Federal and State requirements.

c. Home Occupations

Weapons businesses shall not be conducted as, or as part of, a home occupation.

d. Display of Permit

The City's weapons business permit or a copy thereof, approved by the City, shall be displayed on the premises in plain view at all times.

Twentynine Palms Code of Ordinances
Codified through Ordinance No. 284, adopted March 13, 2018.

Title 19 Development Code
Article 2 Land Use/Zoning Districts
Chapter 19.16 Commercial Districts (CO, CG, CN and CT)

Section 19.16.020 Description and intent of land uses.

A. Office Commercial (CO).

B. General Commercial (CG).

C. Neighborhood Commercial (CN).

D. Tourist Commercial (CT).

Section 19.16.030 Allowed uses and permit requirements.

Use	CO	CG	CN	CT	Notes
Retail/Wholesale Sales					
Guns and ammunition stores	-	P	CUP	AUP	

- = Prohibited
P = Permitted
AUP = Administrative Use Permit
CUP = Conditional Use Permit

Chapter 19.18 Service Commercial (CS) and Community Industrial (IC) Districts

Section 19.18.030 Allowed uses and permit requirements.

Allowed Use	CS	IC	Notes
Retail/Wholesale Sales			
Guns and ammunition stores	CUP	-	

- = Prohibited
P = Permitted
AUP = Administrative Use Permit
CUP = Conditional Use Permit

Ukiah Code of Ordinances
Codified through Ordinance No. 1190, passed June 6, 2018.

Division 1 Government
Division 9 Planning and Development
Chapter 2 Zoning
Article 18 Downtown Zoning Code

Section 9224.4 Home Occupations.

K. Prohibited Uses: The following uses and similar activities as determined by the Planning Director are prohibited as home occupations:

gun repair, sale of guns or ammunition;

Union City Code of Ordinances
Codified through Ordinance No. 854-18, effective December 21, 2018.

Title 9 Peace, Safety and Morals
VIII Offenses by or Against Minors
Chapter 9.72 Dangerous Weapons

Section 9.72.010 Dangerous weapon defined.

"Dangerous weapon" means and includes any firearm, air rifle, BB gun, or other similar instrument designed or intended to discharge a projectile which could injure a person or an animal.

Section 9.72.020 Use, possession, discharge or sale.

Except as otherwise provided in this chapter it is unlawful for any person in the City to sell, give, loan or in any way furnish or cause or permit to be sold, given, loaned or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

Section 9.72.030 Exceptions.

Nothing in this chapter shall be deemed or construed to prohibit the selling, giving loaning or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in Section 9.72.010; nor prohibit such minor from using or having in his or her possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some adult person; nor to prohibit any minor from using or having in his or her possession or control any dangerous weapon which is in good faith in his or her possession or control or use for his or her lawful occupation or employment or for the purpose of lawful recreation.

Section 9.72.050 Public offense by State law.

The provisions of this chapter shall not apply to the commission of any action which is made a public offense by any law of this State.

IX Weapons
Chapter 9.81 Regulating the Use of firearms and Ammunition

Section 9.81.030 Ammunition.

No person shall, within the City of Union City, sell, loan or give any ammunition to any person under eighteen years of age.

Section 9.81.040 Confiscation.

Any firearm or ammunition being used in violation of this chapter may be confiscated by any law enforcement officer and retained at the Police Department until claimed by the owner thereof in person and in the event the equipment so confiscated is a firearm and the owner is a minor, until he/she is accompanied by one of his or her parents.

Chapter 9.82 Permit Requirements for Firearms Dealers and Gunsmiths

Section 9.82.030 Definitions.

The following words and phrases, whenever used in this chapter, are defined as follows:

A. "Applicant" means the firearms dealer as defined in this chapter who is making application to the City for a firearms dealer permit or gunsmith permit as required by 12071(a)(1) of the California Penal Code.

B. "Chief of Police" means the Chief of Police of the City or his or her designee charged with the administration of this chapter, subject to the administrative direction of the City Manager.

C. "Collector of curios and relics" means a person who is a collector of any antique firearm or any firearm which is a curio or relic as defined in Section 178.11 et seq. of Title 27 of the Code of Federal Regulations and who only possesses a valid Bureau of Alcohol, Tobacco and Firearms Federal Firearms License of Type 03 (Collectors of curios and relics).

D. "Engaged in business" means the conduct of a business by the selling, transferring or leasing of any firearm; or the preparation for such conduct of the business as evidenced by the securing of applicable Federal and State licenses; or the holding of one's self out as engaged in the business of selling, transferring or leasing of any firearm, or the selling, transferring or leasing of firearms in quantity in series or in individual transactions, or in any other manner indicative of trade.

E. "Firearms" means any device designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by a force of an explosion or other form of combustion.

F. "Firearms dealer" means a person engaged in the business of selling, transferring, leasing or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease any firearm with the exception of a Bureau of Alcohol, Tobacco and Firearms Federal Firearms License of Type 03 (collectors of curios and relics) and Type 01 (limited to those who engage only in gunsmith activities and do not conduct any sales transactions). Included in the definition are persons involved solely in the warehousing and storage of firearms.

G. "Gunsmith" means a person whose occupation is to design, modify, make or repair firearms. For the sales of firearms, refer to "firearms dealer" under Section 9.82.040A of this chapter.

H. "Person" means any natural person, firm, corporation, organization, company, association, business trust, joint-stock company, partnership, joint venture, club, or the agent, servant, manager, officer employee or lessee of any of them; and any municipal, political, or governmental corporation, district, body or agency other than the City.

Section 9.82.040 Permit required.

A. Firearms Dealers. No person, partnership, cooperative, corporation, firm or association may engage in the business of operating or managing any business in the City, which sells, transfers, leases, or offers or advertises for sale, transfer or lease, any firearm, without first obtaining a firearms dealers permit from the Chief of Police of the Union City Police Department. Application for any such permit shall be made in writing to the Chief of Police of the City in such form as shall be prescribed by him/her. The applicant shall provide all information requested, including proof of compliance with all applicable Federal, State and local laws, or the application will not be deemed complete. Persons who are collectors of antique firearms as described in Section 9.82.030 of this chapter shall not be required to obtain and maintain a firearms dealer permit.

B. Gunsmiths. No person, partnership, cooperative, corporation, firm or association will engage in the business of operating or managing a business which designs, modifies, makes or repairs firearms in the City without first obtaining a gunsmith permit from the Chief of Police of the Union City Police Department. Application for any such permit shall be made in writing to the Chief of Police of the City in such form as prescribed by him/her. The applicant shall provide all information requested, including proof of compliance with all applicable Federal, State and local laws, or the application will not be deemed complete.

Section 9.82.050 Application fee.

Applications for gun dealers or gunsmith permits shall be accompanied by a nonrefundable permit fee as set forth in the City master fee resolution.

Section 9.82.060 Administration of chapter; application and investigation for permits.

A. The Chief of Police shall administer this chapter.

B. The Chief of Police shall conduct an appropriate investigation to determine the eligibility of each owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business for which the applicant is seeking a firearms dealer or gunsmith permit. This investigation shall be conducted for the protection of the public safety and to determine if a permit may be issued. The applicant, owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business shall fully cooperate by providing necessary authorization for access to private records and information.

C. The background check and investigation shall be completed within sixty days of the receipt of a gun dealer or gunsmith application.

Section 9.82.070 Permit approval, renewal, suspension, conditions and revocation criteria.

The Chief of Police may issue or renew a permit only if the following criteria are met. The Chief of Police may deny a new permit or suspend, revoke or impose reasonable conditions for issuance or renewal of an existing permit for failure to meet the following criteria:

A. Applicants must be at least twenty-one years old.

B. The applicant must hold all applicable Federal, State, and local licenses and authorizations.

C. The applicant has no prior revocation or denial of a similar permit, for good cause within the last two years.

D. The applicant has provided accurate statements of fact on his or her application.

E. The applicant must have paid all applicable fees as provided in the Union City master fee resolution.

F. The applicant is free of a conviction for any of the following offenses:

1. Any offense that would disqualify the applicant from owning or possessing a firearm under Federal, State and local laws;

2. Any offense related to the manufacturing, sale, possession, use or registration of any firearm or dangerous or deadly weapon;

3. Any offense involving the use of force or violence against the person of another;

4. Any offense involving the manufacturing, sale, possession or use of any controlled substance as defined in the California State Health and Safety Code.

G. The applicant is not an unlawful user of any controlled substance as defined by the California State Health and Safety Code, or an excessive user of alcohol to the extent that it would impair his or her ability to be a dealer in firearms or be a gunsmith.

H. The applicant is not a mental patient in a hospital or institution, or on leave of absence from any hospital or institution, or adjudicated by a court to be a danger to others as a result of a mental disorder or illness, or a mentally disordered sex offender, or suffers from any psychological disturbance which would impair his or her ability to be a firearms dealer or gunsmith.

I. The applicant proposes to operate the business in a manner which complies with all Federal, State and local laws.

J. The applicant operates his or her business:

1. Within a zoning district where the proposed use is permitted by zoning regulations; or

2. Within a zoning district where the proposed use is conditionally permitted and the applicant has obtained all required permits or approvals as prescribed by the Union City Municipal Code and general law, under a conditional use permit.

K. The applicant can provide evidence of possessory interest in the property at which he/she proposes to conduct business.

Section 9.82.080 Security requirements; Chief of Police authority to adopt administrative regulations.

Firearms security regulations shall be adopted as provided in this section.

A. A primary objective of this chapter is to discourage theft from the premises of the firearm dealers, and to provide a safe and secure facility for storage and sale of firearms. To this end the permittee shall comply with all firearms dealer regulations prescribed by the Chief of Police. The Chief of Police is authorized to adopt all necessary administrative regulations to carry out the intent of this chapter.

B. The Chief of Police shall adopt firearms security regulations requiring, but not limited to, the following:

1. The provision of secure locks, windows and doors, adequate lighting and an alarm security system in accordance with permitted City security regulations and/or specified by the Chief of Police;

2. The storage of all firearms on the premises out of reach of customers in secure, locked locations, so that the access to the firearms is controlled by the dealer and/or owner, partner, employee, manager, officer, agent, lessee or other responsible person engaged in the business and to the exclusion of others. Storage of ammunition, gunpowder or other flammable or explosive material shall be in accordance with the Uniform Fire Code and the Union City Municipal Code hazardous material storage ordinance.

Section 9.82.090 Permit forms.

A. All permits issued pursuant to this chapter shall expire one year after the date of issuance, unless suspended or revoked prior to the expiration date.

B. All permits issued pursuant to this chapter shall be subject to renewal after one year. The permittee shall file a renewal application and pay all applicable fees as specified in the Union City master fee resolution. Such application will then be reviewed by the Chief of Police for compliance with the provisions of this chapter. A permit will be issued by the Chief of Police for a renewal application which meets the provisions specified in this chapter.

The permit will be valid for one year.

C. Applications for renewal of an existing valid permit must be completed and received by the Chief of Police, in completed form, no later that thirty days prior to the expiration of the current permit.

Section 9.82.100 Permit conditions.

A. All permits issued pursuant to this chapter shall be subject to the following conditions. The violation of any of the listed conditions will be grounds for suspension or revocation of the permit by the Chief of Police.

1. No firearms dealer permit will be issued to a person engaged in the business of selling, transferring, leasing or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease any firearm from a residence.

2. The business shall be conducted only in the building located at the street address indicated on the permit.

3. The sales of firearms shall be conducted only by the person(s) listed on the firearms dealer permit issued by the City, known as the permittee. If the permittee is to be assisted by another person such as an owner, partner, employee, manager, officer, agent, lessee, or other responsible person engaged in the business of the sale of firearms, these individuals must be reviewed under the requirements of Section 9.82.070(A), (E), (F), (G), and (H) of this chapter.

4. The permittee shall comply with Sections 12073, 12074, 12076, 12077 and 12082 and subdivision (b) of Section 12072 of the California Penal Code, to the extent that the provisions remain in effect.

5. The permittee shall comply with all sections of this chapter.

B. Any permit pursuant to this chapter shall be subject to additional conditions as the Chief of Police deems reasonably related to the purpose of this chapter.

Section 9.82.110 Permit denial, suspension, conditioning, revocation, denial of renewal.

A. The Chief of Police may deny a new permit application or suspend, modify, revoke or deny renewal of an existing permit for failure of the applicant or permittee to satisfy any of the criteria provided in Section 9.82.070, Permit approval, renewal, suspension, conditions and revocation criteria, Section 9.82.080, Security requirements, Chief of Police authority to adopt administrative regulations, Section 9.82.100, Permit conditions, Section 9.82.140, Permit liability insurance, and Section 9.82.150, Inspection authority, of this chapter.

B. Any decision to deny a new permit application, suspend, revoke, modify or deny renewal of an existing permit shall be given to the applicant or permittee in writing; addressed to the permittee or applicant at the address on the application, and shall set forth the factual and legal grounds for the decision.

Section 9.82.120 Appeal of adverse action.

A. Within thirty days after the date of deposit of the decision of the Chief of Police in the mail in accordance with Section 9.82.110, Permit denial, suspension, conditioning, revocation, denial of renewal, the applicant or permittee may appeal the decision in writing to the City Manager (or designee), setting forth the factual and legal grounds for appeal.

B. The City Manager (or designee) shall:

1. Set a time and place for the hearing on the appeal;

2. Notify the applicant or permittee in writing of such date and time not later than thirty working days from the date the appeal was received by the City Manager.

C. The hearing shall be conducted within forty-five days from the date the appeal was received by the City Manager. In any hearing under this section, the applicant shall bear the burden of proof to establish entitlement to the requested permit by a preponderance of the evidence.

D. After hearing the appeal, the City Manager (or designee) may:

1. Refer the matter back to the Chief of Police for a new investigation and decision consistent with direction provided by the City Manager (or designee);

2. Affirm the decision of the Chief of Police;

3. Approve the application for a permit subject to any conditions the City Manager (or designee) may prescribe; or

4. May approve the application for a permit without conditions.

E. The decision of the City Manager (or designee) shall be the final administrative determination and is subject to judicial review.

Section 9.82.130 Cost of appeal and attorney fees.

In any appeal hearing conducted under this chapter, the City Manger (or designee) shall assess all costs of the hearing, including direct and indirect staff costs and overhead and attorney fees, to the appellant whenever the City prevails.

Section 9.82.140 Permit liability insurance.

A. No firearms dealer permit shall be issued or renewed pursuant to this chapter unless there is in full force and effect, prior to issuance of a permit or renewal, a policy of insurance in such form that the City Attorney and City Risk Manager deem proper. This policy must be executed by an insurance company approved by the City Attorney, whereby the applicant or permittee is insured against liability for damage to property and for injury to, or death of any person as result of the sale, transfer or lease, or advertising for sale, transfer or lease, or advertising for lease of any firearm. The minimum liability limits shall not be less than one million dollars for damages to, or destruction of property in any one incident; and one million dollars for the death or injury to any one person; provided, however, that additional amounts may be required by the City Attorney if deemed necessary.

B. The policy of insurance shall name the City, its officers, agents and employees as additional insureds. Applicants and permittees shall indemnify, defend and hold harmless the City, its officers agents and employees, from claims arising from the negligence of the applicant or permittee. Such policy of insurance shall contain an endorsement providing that the policy will not be cancelled until notice in writing has been given to the Chief of Police sixty days prior to cancellation.

Section 9.82.150 Inspection authority.

A. The Chief of Police or his designee shall have the right to enter any firearms dealer establishment from time to time during regular business hours to make reasonable inspections to ascertain whether the provisions of this chapter are being complied with. A warrant shall be obtained whenever required by law.

B. The Police Department shall conduct an on-site inspection, and review the gun dealer or gunsmith, every six months.

C. The cost of the inspection and review shall be charged at an hourly rate with a minimum of one hour. The hourly rate shall be specified in the City master fee resolution.

Section 9.82.160 Compliance.

Any person engaging in the business of selling, transferring, or leasing or advertising for sale, transfer or lease, or offering for sale, transfer or lease, any firearm on the effective date of the ordinance codified in this chapter shall have sixty days from the effective date to comply with the provisions of this chapter.

Section 9.82.170 Temporary suspension.

A. If a firearm dealer violates any Federal, State or local County or City laws, the Chief of Police may immediately suspend the right of the dealer to sell firearms.

B. The temporary suspension will not exceed three days. If the violation results in a criminal charge filed by a Federal, State or County District Attorney, such permit to sell firearms may be suspended until the case is adjudicated in a court of law.

C. Notice of suspension and rights to appeal and costs shall be the same as provided in Section 9.82.110, Permit denial, suspension, conditioning, revocation, denial of renewal, Section 9.82.120, Appeal of adverse action, and Section 9.82.130, Costs of appeal and attorney fees, of this chapter.

Section 9.82.180 Severability.

A. This chapter shall be enforced to the full extent of the authority of the Chief of Police. If any section, subsection, sentence, clause, phrase or portion of the chapter is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

B. The City Council of the City declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsection, clauses, phrases or portions should be declared invalid or unconstitutional.

Title 18 Zoning
Chapter 18.32 Residential Districts

Section 18.32.020 Permitted uses.

G. Home occupations, subject to the following conditions:

13. That the following uses shall not be permitted:

d. The sale and trade of goods or products such as firearms, ammunition, fireworks, hazardous chemicals, or any product that has the potential to cause injury if improperly handled and is therefore unsuitable for home occupation as determined by the Zoning Administrator;

Chapter 18.36 Commercial Districts

Section 8.36.015 Purpose.

A. CPA District—Professional and Administrative Commercial.

B. CN District—Neighborhood Commercial.

C. CC District—Community Commercial.

D. CVR District—Visitor and Recreation Commercial.

F. CS District—Specialty Commercial District.

Section 18.36.030 Conditional uses.

The following conditional uses shall be permitted in a C district, upon the granting of a use permit, when the symbol "X" is marked in the column beneath the C district:

B. Approval by Planning Commission (refer to Chapter 18.56 for a detailed description of the use permit process).

Conditional Uses	CPA	CN	CC	CVR	CS
Guns and/or ammunition sales			X		

Upland Code of Ordinances

Current through Ordinance 1931 and the October 2018 code supplement.

Title 9 Public Peace and Welfare
Chapter 9.24 Firearms

Section 9.24.010 Definitions.

"Deadly or dangerous weapon" as used in this chapter, means and includes, but is not limited to: any dirk or dagger; …, and any firearm.

"Firearm" as used in this chapter means a "firearm" as defined at subdivision (a) of Section 16520 of the California Penal Code.

Section 9.24.030 Minors—Possession of firearms, BB device, deadly or dangerous weapon.

No person under 18 years of age shall have in his or her possession, care, custody or control any firearm or BB device as defined in Section 9.24.010 of this chapter or any deadly or dangerous weapon as defined in Section 9.24.010 of this chapter.

Section 9.24.040 Minors—Giving firearms, etc., prohibited.

It is unlawful for any person to sell, exchange, give or loan to any person under 18 years of age, any firearm or firearms as defined in Section 9.24.010 of this chapter.

Section 9.24.090 Exceptions.

The aforegoing shall not apply or be deemed to apply in the following cases:

A. When the firearm or weapon is in the possession of any peace officer for use in the enforcement of law;

B. When the firearm or weapon is in the possession of a person who has a valid permit to possess and carry the same issued by a duly authorized governmental authority;

C. When any such firearm is being used at or in connection with the operation of any lawful pistol or rifle range in accordance with rules and regulations approved by the chief of police of the city, or the city council of the city; and

D. In the case of ordinary rifles, shotguns, tools or sports equipment possessed or carried in good faith for uses of honest work, trade or business or for the purpose of legitimate game hunting, sport or recreation.

Section 9.24.100 Firearms possession declared a nuisance.

Any firearm or firearms or deadly or dangerous weapon which is being used by any person, or which is in the possession or under the custody or control of any person contrary to any of the provisions of this chapter, is declared to be a nuisance, and may be forthwith confiscated by any police officer of the city, who shall surrender the same to the chief of police of the city who shall hold and/or dispose of the same in the same manner as is contemplated for the holding and/or destruction of the nuisances referred to in Section 12028 of the Penal Code of the state of California.

Section 9.24.110 Penalties.

Any person, firm or corporation violating any provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, may be punished by a fine not to exceed $1,000.00 or by imprisonment in the city jail of the city, as the

committing magistrate may direct, for a period of not more than six months, or by both such fine and imprisonment in the discretion of the court. Each and every day during any part of which any violation of this chapter continues shall be deemed a separate offense hereunder.

Vacaville Code of Ordinances
Codified through Ordinance No. 1922, passed January 9, 2018.

Title 14 Land Use and Development Code
Chapter 14.09 Zoning
Chapter 14.09.120 Land Use Permits and Approvals, Home Occupation Permits

Section 14.09.120.070 Excluded occupations.

Certain occupations which have a tendency to change the residential character of the neighborhood and the City have been identified. These occupations shall not be considered as incidental and secondary to the use of a residence for dwelling purposes.

A. The occupations listed below, and occupations which, in the opinion of the Director are of similar character, shall not be allowed as home occupations:

9. Sale, manufacture, or distribution of firearms, explosives, or other weapons which would require a state or federal license to provide such services;

Vallejo Code of Ordinances
Codified through Ordinance No. 1799 N.C., enacted June 26, 2018. (Update 7-18)

Title 16 Zoning
Part IV General Regulations
Chapter 16.60 Home Occupations

Section 16.60.050 Exclusions.

The following activities shall not in any case qualify as a home occupation:

F. Any on-premises retail sales including, but not limited to, firearms, weaponry, ammunition, liquor, tobacco, or medicinal marijuana, and any off-premises sales of tobacco or tobacco related products.

Victorville Code of Ordinances
Codified through Ordinance No. 2382, passed October 16, 2018. (Supp. No. 43, Update 1)

Title 13 Public Peace, Safety and Morals
Chapter 13.2 Weapons

Section 13.24.030 Furnishing to minors.

No person except a parent or guardian shall purchase from, sell, exchange, give, lend, or furnish to any person under the age of eighteen years a revolver or pistol of any description, shotgun, or rifle, which may be used for the explosion of cartridges, or any airgun, "B-B" gun, gas-operated gun or spring gun, or any knife or knives having the appearance of a pocket knife, the blade or blades of which can be opened by a flick of a button, pressure on the handle or other mechanical devices; or any instrument, toy or weapon commonly known as a "slingshot," or any bow made for the purpose of throwing or projecting missiles of any kind or by any means whatsoever, whether such instrument is called by any name set forth above or by any other name. Any such weapon possessed in violation of this chapter may be confiscated by any peace officer.

Section 13.24.040 Possession by minors.

No person under the age of eighteen years shall have in his possession, care, custody or control any of the articles mentioned in Section 13.24.030 except within his own domicile or except when accompanied by and under the immediate supervision of a parent, guardian, or responsible adult. This section shall not apply to any person possessing a valid California hunting license.

Section 13.24.050 Confiscation.

Every peace officer taking a weapon used in violation of Sections 13.24.030 or 13.24.040 shall deliver the same to the chief of police to be held by him until the final determination of the prosecution for said offense; and upon the finding of guilt it shall then be the duty of the chief of police on a first offense to return the weapon to the owner and on a second offense the chief of police is authorized to confiscate and destroy it.

Title 16 Development Code
Chapter 3 Zoning and Land Use Requirements
Article 7 Land Use and Special Requirements

Section 16-3.07.010 Permitted and conditional land uses - all zoning districts

Land and facilities shall only be developed, divided and/or used for those activities listed in Table 7-1 (Permitted, Conditional, Accessory and Temporary Land Uses - All Districts). Table 7-1 establishes uses that are permitted, conditionally permitted or not permitted within each Zoning District established by Article 6 (Zoning Districts and Boundaries) of this Chapter. Article 2 of this Chapter describes the procedures required to obtain a Conditional Use Permit.

Table 7-1 Permitted, Conditional, Accessory and Temporary Land Uses - All Zoning Districts

Zoning Categories:			
Residential Zoning Districts	Commercial Zoning Districts	Industrial Zoning Districts	Other Zoning Districts
AE: Exclusive Agricultural	C1: Neighborhood Service	IPD: Industrial Park	PC: Public and Civic
A: Agriculture Residential	C2/C4: General Commercial	M1: Light Industrial	SP: Specific Plan*
SR: Suburban Residential	CA: Administrative Professional Offices	M2: Heavy Industrial	PUD: Planned Unit Development*
R1: Single-Family Residential	CM: Commercial Manufacturing		MU: Mixed-Use>*
R2: Medium-Density Residential			FP: Conservancy and Flood Plain*
R3: High-Density Residential			
R4: Very-High-Density Multiple Residential			
MDR: Mixed-Density Residential			
RMPD: Residential-Mobile Home Planned Development			

Omitted Zone Districts: Zone Districts delineated above by an asterisk (*) were not included in this Land Use Table due to their unique development process and/or land uses as discussed below.

SP: Land uses and development standards are outlined by the Specific Plan itself, which vary with each existing and future SP.

PUD: Land uses and development standards are outlined by the Planned Unit Development itself, which vary with each existing and future PUD.

MU: Allows for a variety of uses to be determined through the Planned Unit Development of Specific Plan process.

FP: All areas of the City zoned FP are within the Mojave River, which does not allow for any permanent development with the exception of flood control structures. Grazing, crops, wildlife & forest preserves and similar agricultural or open space uses are permitted at the discretion of the Development Director and the San Bernardino County Flood Control District.

Use Legend:

P: Permitted Use

C: Conditional Use Permit required

-: Not Permitted

Type/Use	Zone																
Commercial 23) Retail	AE	A	SR	R1	R2	R3	R4	MDR	RMPD	C1	C2/C4	CA	CM	IPD	M1	M2	PC
Guns & ammunition	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-

Type/Use	Zone																
Accessory 31) Accessory Uses (Subject to Sections 16-3.07.030 & 16-3.07.040 of the V.M.C.	AE	A	SR	R1	R2	R3	R4	MDR	RMPD	C1	C2/C4	CA	CM	IPD	M1	M2	PC
Guns & ammunition	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-

Section 16-3.07.030 Accessory uses for residential

(a) Home occupations

(3) Prohibited Home Occupations

(ii) Sales or production of weapons (i.e. guns, knives, swords, etc.);

Walnut Code of Ordinances
Current through Ordinance No. 18-06 and the October 2018 code republication.

Title 13 Public Health, Safety and Welfare
Chapter 3.48 Offenses-Miscellaneous

Section 3.48.110 Firearms, etc.

A. Persons Under 18 Years of Age—Furnishing To.

1. Except as otherwise provided in subsection C of this section, it is unlawful in the City for any person to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, lent or in any way furnished, to any person under the age of 18 years, any gun, revolver, pistol, firearm, spring gun, air gun, sling, slingshot or device designed or intended, to discharge, or capable of discharging, any dangerous missile.

2. Except as otherwise provided in subsection C of this section, it is unlawful in the City for any person to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, lent or in any way furnished, to any person under the age of 18 years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in, or fired from any gun, revolver, pistol or firearm.

C. Exceptions. Nothing in this code shall be deemed or construed to prohibit in the City the selling, giving, lending or furnishing to any person under the age of 18 years, upon the written consent of the parent or guardian of such person, any article mentioned in subsection A of this section; nor to prohibit any such person under the age of 18 years from having in his or her possession, care, custody or control any article mentioned in subsection B of this section in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

D. License to Sell. No person shall engage in the business of selling or otherwise transferring, or advertising for sale, or offering or exposing for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person without first having received a license from the County Sheriff.

Wasco Code of Ordinances
Codified through Ordinance No. 697, passed October 2, 2018.

Title 5 Business Taxes, Licenses and Regulations
Chapter 5.18 Pawnbrokers and Secondhand Dealers

Section 5.18.070 Minors--Sale of firearms to prohibited--Exception.

It is unlawful for any person, firm or corporation to sell, hire or deliver to any minor under the age of eighteen years, any gun, rifle, pistol, shotgun or other firearm, without the written permission of such minor's parents or guardian.

Watsonville Code of Ordinances
Codified through Ordinance No. 1375-18 (CM), passed September 11, 2018.

Title 4 Public Safety
Chapter 7 Weapons

Section 4-7.05 Firearm locking device requirements.

All Dealers as defined in Penal Code Section 12071 and employees of Dealers are prohibited from the following:

(a) Selling, giving, lending, or transferring ownership of any firearm without equipping that firearm with an effective trigger lock. "**Effective**" means a device, which has been approved by the Watsonville Chief of Police as being adequate to prevent the unintentional discharge of the firearm.

(b) Selling, giving, lending, or transferring ownership of any firearm without providing to the person to whom the firearm is transferred printed material that advises the user on safe storage practices.

(c) The expense of the trigger lock shall be borne by the person selling, giving, lending, or transferring the firearm.

West Covina Code of Ordinances
Codified through Ordinance No. 2331, adopted January 16, 2018. (Supp. No. 83)

Chapter 26 Zoning
Article XII Special Regulations for Unique Uses
Division 21 Theme Shopping Uses

Section 26-685.6200 Development standards.

(k) Prohibited merchandise. Sales, exchange, barter or trade of the following items is prohibited:

b. Firearms, ammunition, explosives, fireworks or other weaponry.

West Hollywood Code of Ordinances
Current through Ordinance No. 18-1036 and the November 2018 code supplement.

Title 5 Business Licenses, Regulations and Permits
Article 2 Specific Businesses Regulated
Chapter 5.60 Gun Dealers

Editor's Note: Gun dealers holding a valid business license on May 4, 1994 shall not be required to comply with Section 5.08.070 (the public hearing requirement for gun dealers desiring to obtain a new license) and subsection (6) of Section 5.60.030 (demonstration of a need and distancing requirements from a public or private school or day care, a public park, or other gun dealer licensee), and subsection (2) of Section 5.60.040 (the requirement that the applicant obtain landlord approval prior to the granting of a business license for a gun dealer business). Existing gun dealer licensees, however, must comply with all other provisions of this chapter.

Section 5.60.010 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

1. "Engages in the business" shall mean the conducting of a business by selling, leasing, or otherwise transferring, for a consideration, any firearm, firearm munition or firearm ammunition component; or the holding of one's self out as engaged in the business of selling, leasing or otherwise transferring for a consideration any firearm, firearm munition, or firearm ammunition component in quantity, in series, or in individual transactions, or in any other manner indicative of trade.

2. "Firearm" shall include, without limitation, any revolver, pistol or any other device designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or other form of combustion.

3. "Firearm ammunition" shall mean any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

4. "Firearm ammunition component" shall mean any cartridge or encasement, bullet or projectile, primer or propellant or explosive material used to manufacture ammunition.

5. "Gun dealer" shall mean any person who engages in the business of selling, leasing or otherwise transferring for a consideration to members of the public any new or used firearm, as well as any firearm ammunition or any firearm munition component.

6. "Person" shall mean a natural person, association, partnership, firm or corporation or combination thereof.

Section 5.60.020 Application Information.

1. License Form. Any license issued to operate as a gun dealer shall be on a form approved by the city.

2. Application Form. Notwithstanding any other provision of this chapter, every applicant for a gun dealer license shall fill out the application form prescribed by the California State Attorney General in addition to the city's application for a business license pursuant to 5.08.040.

Section 5.60.030 Minimum Criteria for Issuance of a License.

In addition to the applicant's compliance with all other requirements of this title, a background check and recommendation pertaining to the applicant will be referred to and conducted by the Los Angeles County Sheriff's Department on behalf of the city. The applicant must obtain a favorable background recommendation from the Los Angeles County Sherriff's Department. In addition to compliance with all the requirements of this title, the applicant, manager(s), and employee(s) must meet the following criteria as applicable:

1. The applicant, and any existing or prospective manager(s) and employee(s), must be at least twenty-one years of age.

2. The applicant, and any existing or prospective manager(s) and employee(s), must be properly licensed as required by all applicable federal and California laws.

3. The applicant, and any existing or prospective manager(s) and employee(s), must not have had a similar type of license previously revoked or denied for good cause within the immediately preceding two years prior to the license application.

4. The applicant, and any existing or prospective manager(s) and employee(s), must not have been convicted of:

(a) Any offense so as to disqualify the applicant, manager or employee from owning or possessing a firearm under applicable federal and California laws;

(b) Any offense relating to the manufacturing, sale, possession, use or registration of any firearm or other dangerous or deadly weapon;

(c) Any offense involving the use of force or violence upon the person of another;

(d) Any offense involving theft, fraud, dishonesty or deceit;

(e) Any offense involving the manufacture, sale, possession or use of any drug or controlled substance itemized on any schedule pertaining to drugs and other controlled substances of the California Health and Safety Code.

5. The applicant, and any existing or prospective manager(s) and employee(s), must not have been adjudicated to be mentally incompetent, or have been committed to a mental institution.

6. The applicant must demonstrate that, on or after May 4, 1994, there is a need for an additional firearm dealer to be located within the city, and that:

(a) The location for which the license is sought is not located within one thousand feet of a public or private day care center or school, or a public park.

(b) The location for which the license is sought is not located within one thousand feet from any other premises operated by a gun dealer licensee.

7. The applicant must provide a copy of each of the following:

(a) Valid federal firearms license;

(b) Valid seller's permit issued by the state Board of Equalization; and

(c) Valid certificate of eligibility issued by the Department of Justice.

8. Existing or prospective manager(s) and employee(s) shall hold and maintain a valid certificate of eligibility from the Department of Justice as a condition of their employment and submit an "Employee Certificate of Eligibility Report of Employment" form (BOF 117) to the Department of Justice upon employment.

9. Upon renewal of the business license, the applicant shall provide to the city copies of valid certificates of eligibility for all manager(s) and employee(s).

Section 5.60.040 Issuance of License Subject to Conditions.

Any and all licenses granted pursuant to this chapter are subject to the following conditions, in addition to any conditions imposed by the Commission, breach of any of which subjects the license to revocation:

1. The business activity shall be carried on only in the building designated in the license, which shall be located in a properly zoned commercial district, unless the gun dealer qualifies as a home occupation under federal and state law and is in full compliance with the home occupation provisions contained in the Zoning Ordinance. In no event shall a licensee, operating as a home occupation, store or maintain firearms, ammunition, or any firearms ammunition component within the residential dwelling in which the business is being conducted. Notwithstanding any other provision of this title, a license under this chapter shall be required for gun dealers operating as a home occupation.

2. If the applicant is not the owner of record of the building within which, and the real property upon which, the gun dealer business is to be located and conducted, then he or she shall obtain prior written consent from the owner of record of such building and real property to operate a gun dealer business, and such written consent from the owner of record shall be attached to the city's business license application.

3. All federal, California and city-issued licenses, permits or copies thereof, certified by the issuing authority, shall be posted in a conspicuous manner on the premises in which the business is being conducted.

4. No firearm, firearm ammunition or reproduction of either advertising the sale, lease or transfer, for a consideration of either, shall be displayed in any part of the premises where it can readily be seen from the outside.

5. The licensee shall maintain on the licensed premises accurate records of all firearm and ammunition sales, as well as a complete inventory of all firearms in stock, by classification and serial number, for a period of not less than three years.

(a) The records required by this subsection (5) pertaining to the recordation of firearm and ammunition sales shall indicate:

(1) The date that the purchaser purchased the firearm(s) and/or ammunition;

(2) The purchaser's name, address and date of birth;

(3) The purchaser's driver's license number or other identification number and state where issued;

(4) The make, brand, model and/or type of firearm(s) purchased;

(5) The brand of ammunition purchased;

(6) The type and amount of ammunition purchased;

(7) The purchaser's thumbprint, from both the right hand and left hand; and

(8) The purchaser's signature.

(b) This information required by this subsection (5) shall be recorded at the time of purchase and shall be maintained in a log book in a form substantially as follows:

Ammunition/Firearm Sales Records Log

Store: _____

Date	Name	Address	Date of Birth	Driver's License/ ID No. and State	Firearm Make/Brand/Model/Type	Ammunition Brand and Amount Purchased	Purchaser's Signature

(c) The licensee's firearm and ammunition sales records and firearm and ammunition inventory records shall be open to inspection at the request of the city or the Los Angeles County Sheriff's Department.

(d) The licensee shall also provide the city with an annual report of the gross revenue received during the previous year itemized by the quantity and classification of firearms and ammunition sold on a form provided by the city signed under penalty of perjury.

6. The licensee shall comply with any city continuing education requirement relating to firearms as the city may from time to time impose.

7. The licensee shall provide all firearm purchasers comprehensive instructions, prepared by the licensee and approved by the city, pertaining to the use, maintenance, storage and safety precautions relating to the firearm purchased.

8. The licensee shall comply with all security measures imposed by the license issued pursuant to this chapter upon recommendation of the Los Angeles County Sheriff, including, but not limited to, locks, lighting, alarms, storage and access to firearms.

9. The licensee shall comply with Section 9.04.210 of the West Hollywood Municipal Code as well as all applicable sections of the California Penal Code, including, but not limited to, Sections 16130, 16150, 16300, 16400, 16550, 16810, 17110, 26700-26915, 27500-27590, 28100, 28150-28180, 28200-28250, 30300, 30305, and 30310.

10. The licensee shall conduct a criminal background check on any existing or prospective manager(s) or employee(s).

11. The licensee shall post conspicuously within the licensed premises in an area where guns and ammunition are sold the following warning in block letters not less than one inch in height:

WARNING: THE CITY OF WEST HOLLYWOOD HAS DETERMINED THAT GUNS IN THE HOME ARE MUCH MORE LIKELY TO BE USED TO KILL OR INJURE A HOUSEHOLD MEMBER THAN TO PROTECT AGAINST AN ATTACKER.

IT IS SAFEST NOT TO KEEP A GUN IN THE HOME. IF A GUN IS KEPT IN THE HOME, IT SHOULD BE KEPT UNLOADED AND SECURELY LOCKED AND AMMUNITION SHOULD BE LOCKED SEPARATELY.

12. The licensee shall also provide all firearm purchasers with a bill of sale for the purchase of a firearm which includes the warning language required in subsection (11) of this section. The warning shall be conspicuously placed on the bill of sale in block letters.

Section 5.60.050 Duration of Gun Dealer License – Renewal.

All licenses issued pursuant to this chapter shall expire one year after the date of issuance; provided, however, that a license may be renewed pursuant to Section 5.08.130 for additional one-year periods upon approval of an application for renewal that complies with all provisions of the Business License Ordinance.

Section 5.60.060 Assignment of License Prohibited.

The assignment of or attempt to assign any license issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a license shall render the license null and void.

Title 9 Public Peace and Safety
Article 1 Prohibited Conduct and Offenses
Chapter 9.04 General Offenses

Section **9.04.210 Sale of Certain Ammunition Prohibited.**

a. The wholesale or retail gun dealer shall not sell, lease or otherwise transfer, for a consideration, to any person, other than any authorized law enforcement personnel, any firearm ammunition that has no hunting or marksmanship purpose and which is designed to expand upon impact. Such firearm ammunition includes, but is not limited to, Black Talon bullets, 9 millimeter bullets, .50 caliber bullets, teflon-coated bullets and hollow-point bullets.

b. The wholesale or retail gun dealer shall not sell, lease or otherwise transfer, for any consideration, any firearm ammunition to any person who is forbidden by city, state or federal law from buying or possessing a firearm.

Article 2 Miscellaneous
Chapter 9.27 Lost or Stolen Firearms

Section 9.27.010 Reporting Lost or Stolen Firearms.

Any person residing or doing business in West Hollywood who owns, or possesses a firearm, as defined in the Penal Code, shall report the theft or loss of the firearm to the Los Angeles County Sheriff's Department within 48 hours after his or her discovery or knowledge of the theft or loss.

Section 9.27.020 Penalty – Misdemeanor.

Any person who fails to report a lost or stolen firearm pursuant to Section 9.27.010, when the person knew or should have known of the theft or loss, is guilty of a misdemeanor and is punishable as provided in Section 1.08.010 of this code.

Title 19 Zoning Ordinance
Article 19-2 Zoning Districts and Allowable Land Uses
Chapter 19.10 Commercial and Public Zoning Districts

Section 19.10.030 Commercial and Public District Land Uses and Permit Requirements.

Table 2-5 identifies the uses of land allowed by this Zoning Ordinance in the commercial and public zoning districts, and the land use permit required to establish each use, in compliance with Section 19.04.040 (Zoning District Regulations). Permit requirements for additions to existing structures are determined by floor area; see Chapters 19.42 (Zone Clearances), 19.44 (Administrative Permits), and 19.48 (Development Permits).

Note: where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Zoning Ordinance may also apply.

Table 2-5
Allowed Uses and Permit Requirements for Commercial and Public Zoning Districts

P	Use Permitted[1]	CUP	Conditional Use Permit Required
MCUP	Minor Conditional Use Permit Required	PCR	Project Conformity Review
RI	Rehabilitation Incentives	—	Use Not Allowed

Permit Required by Zone							
Land Use[2]	CN	CC/SSP	CA	CR	PDCSP	PF[3]	Specific Use Regulations
Firearm sales	—	CUP	CUP	CUP	—	—	19.36.134

Article 19-3 Site Planning and General Development Standards
Chapter 19.36 Standards for Specific land Uses

Section 19.36.134 Firearm Sales.

No establishment that offers firearms for sale shall be located within 1,000 feet of any other establishment that offers firearms for sale, either within or outside the city.

Article 19-6 Definitions
Chapter 19.90 Definitions/Glossary

Section 19.90.020 Definitions of Specialized Terms and Phrases.

As used in this Zoning Ordinance, the following terms and phrases shall have the meaning ascribed to them in this section, unless the context in which they are used clearly requires otherwise.

Firearm Sales. Firearm sales include the retail sales of guns, ammunition, and related products and accessories.

West Sacramento Code of Ordinances
Current through Ordinance No. 18-14 and the December 2018 code supplement.

Title 17 Zoning
Division III Citywide Regulation
Chapter 17.30 Standards for Specific Uses and Activities

17.30.120 Home Occupations

Home occupations shall be located, developed, and operated in compliance with the following standards:

C. Prohibited Home Occupations. The following specific businesses are not permitted as home occupations:

7. Firearm sales, including firearms brokers;

Division V Terms and Definitions
Chapter 17.51 List of Terms and Definitions

17.51.020 Definitions

Firearms. Any device designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or other form of combustion.

Westlake Code of Ordinances
Codified through Ordinance No. 263-18, passed April 11, 2018. (Supp. No. 23)

Article 9 Zoning Regulations
Chapter 9.28 Home Occupations

Section 9.28.030 Prohibited Home Occupation Uses.

The following uses, either by operation or nature, are not incidental to or compatible with residential activities and shall therefore not be permitted as home occupations:

8. Sale of firearms, including engaging in activities as a "gun dealer," as defined in Section 6.3.005 of this Code.

Westminster Code of Ordinances
Current through Ordinance No. 2556 and the January 2019 code supplement.

Title 17 Land Use
Article 4 Standards for Specific Land Uses and Accessory Uses
Chapter 17.400 Standards for Specific Land Uses and Accessory Uses

Section 17.400.075 Home-based businesses.

C. Prohibited Home-Based Businesses. Certain uses by the nature of their operation are not compatible with residential uses, are not incidental or compatible with residential activities and shall therefore not be permitted as a home-based business.

Prohibited home-based businesses include, but are not limited to, the following uses:

1. Firearms and ammunition sale, lease, trade or service;

Windsor Code of Ordinances
Codified through Ordinance No. 2018-325, passed April 18, 2018. (Supp. No. 36)

Title III Public Welfare
Chapter 10 Miscellaneous Prohibitions
Article 17 Small Arms Device

Section 3-10-1700 Definitions.

As used in this section:

Small arm device shall mean any pistol, revolver, gun, rifle or any caliber, shotgun of any gauge, air gun, BB gun, blow gun, slingshot, longbow, crossbow, or any weapon or instrument which throws or propels bullets, pellets or missiles of any kind by means of explosive powder, compressed or forced air or gas, springs, elastic rubber or like substance or force.

Section 3-10-1710 Possession and use of small arms device by minor.

a. No minor under the age of twelve (12) years may be in possession of a small arms device in the Town of Windsor unless such minor is accompanied by his parent, guardian or a responsible adult.

b. No minor over the age of twelve (12) years and under the age of fourteen (14) may be in possession of a small arms device in the Town of Windsor unless such minor (1) is accompanied by his/her parent, guardian or a responsible adult or (2) is on the private property of his/her parent or guardian and has on his/her person both the dated written permission of his/her parent or guardian to be in possession of the small arm device and one (1) of the following (i) a valid California Hunting License, or (ii) a California Hunter's Safety Certificate, or (iii) if in possession of a spear gun, a valid California Fishing License.

c. No minor over the age of fourteen (14) years and under the age of eighteen (18) years may be in possession of a small arms device in the Town of Windsor unless such minor (1) is accompanied by his/her parent, guardian or a responsible adult, or has on his/her person and dated written permission of his/her parent or guardian to be in possession of the small arms device and one (1) of the following: (i) a valid California Hunting License, or (ii) a California Hunter's Safety Certificate, or (iii) if in possession of a spear gun, a valid California Fishing License.

d. No minor in possession of a small arms device may be on private property in the Town of Windsor unless such minor is accompanied by the owner or controller of such property or is in possession of the dated written consent of the owner or controller of such property.

e. For purposes of this section, the term "**responsible adult**" shall mean a person over eighteen (18) years of age in immediate possession of (1) a valid California Hunting License, or (2) a California Hunter Safety Certificate or (3) a California Fishing License if the small arms device which is possessed by the minor is a speargun.

f. Violation of this section is a misdemeanor and shall be punishable on first offense by a fine of one hundred ($100.00) dollars and on each subsequent offense by a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1,000.00) dollars.

Section 3-10-1715 Responsibility of Parent or Guardian.

Any parent or guardian who permits or suffers a minor in his care and custody to violate any provisions of this article shall be guilty of a misdemeanor punishable on first offense by a fine of one hundred ($100.00) dollars and on any subsequent offense by a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1,000.00) dollars. Any such parent or guardian shall be liable for any damages suffered by third persons or agencies by reason of violation of this section by the minor to the full extent provided by State law.

Article 18 Sales of Concealable Weapons

Section 3-10-1800 Licensing Authority.

The Chief of Police is hereby designated as the licensing authority for the regulation of the business of selling, transferring, advertising, offering, or exposing for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon a person pursuant to the provisions of the Penal Code Section 12071.

Section 3-10-1805 Licensing Fee.

The Chief of Police is authorized and directed to collect a fee established by resolution of the Town Council for the administration of the licensing required by Penal Code Section 12071.

Woodside Code of Ordinances

Codified through Ordinance No. 2018-593, adopted February 27, 2018. (Supp. No. 4)

Title XIII General Offenses
Chapter 130 Offenses Against Town Regulations
Article II Weapons Offenses

Section 130.15 Firearm defined.

For the purpose of this chapter firearm shall mean any cannon, gun, pistol, revolver, automatic pistol, rifle, shotgun, "BB" gun, air gun, pellet gun, or other weapon of a similar nature designed to discharge a projectile propelled by the expansion of a gas.

Section 130.17 Possession by minors; exceptions.

(A) It shall be unlawful for any person under the age of 18 years to have in his/her possession in a public place any firearm, except as otherwise provided in division (B) below of this section.

(B) The provisions of division (A) above of this section shall not apply to the following persons under the age of 18 years:

(1) When such persons are in the immediate charge of a parent, guardian, or adult person having the responsibility for the conduct of such person under the age of 18 years;

(2) When the firearm is unloaded and either in a dismantled or "take-down" condition or completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof; and

(3) When such persons are lawfully hunting pursuant to the provisions of the Cal. Fish & Game Code and in possession of a hunting license issued as prescribed by said Cal. Fish & Game Code.

Yucaipa Code of Ordinances

Current through Ordinance No. 370 and the September 2018 code supplement.

Title 8 Health and Safety
Chapter 8.32 Firearms

Section 8.32.040 Purchase of firearms.

No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of eighteen (18) years, a revolver or pistol of any description, shotgun or rifle, which may be used for the explosion of cartridges, or any airgun; “B-B” gun, gas-operated gun or spring gun, or any knife or knives having the appearance of a pocketknife, the blade or blades of which can be opened by a flick of a button, pressure of the handle or other mechanical devices, or any instrument, toy or weapon commonly known as a “sling slot,” or any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name. Any such weapon possessed in violation of this chapter may be confiscated by any peace officer.

Section 8.32.050 Prohibiting firearms—Possession by minors.

No person under the age of eighteen (18) years shall have in his possession, care, custody or control, any of the articles mentioned in Section 8.32.040 of this chapter except within his own domicile or except when accompanied by and under the immediate supervision of a parent, guardian, or responsible adult. This section shall not apply to any person possessing a valid California hunting license.

Section 8.32.060 Disposition of confiscated firearms.

Every peace officer taking a weapon used in violation of this chapter, shall deliver the same to the sheriff to be held by him until the final determination of the prosecution for the offense, and upon the finding of guilt it shall then be the duty of the sheriff on a first offense to return the weapon to the owner and on a second offense the sheriff is authorized to confiscate and destroy it.

Section 8.32.080 Retail licenses.

The community development director of the city shall be the licensing authority for the city responsible for accepting applications and granting licenses under the provisions of California Penal Code, Section 12071. The director shall collect an annual license fee of fifty dollars ($50.00) for each license issued pursuant to Penal Code Section 12071. License fees collected under this section shall be deposited in the city general fund.