

State Laws and Published Ordinances – California

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Alameda Code of Ordinances

Codified through Ordinance Number 3298, passed April 6, 2021. (Supplement Number 62)

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 as defined in Section 4.32.1.

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 offering or exposing 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 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.

e. 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. **f. 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; and
- c. The provision of a video surveillance security 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 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, 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. 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.
 - 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. 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.
 - 5. The stored images shall be maintained on the business premises of the licensee for a period of no less than one (1) year from the date of the recordation and shall be made available for inspection by federal, state or local 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 seven (7) calendar days. The licensee must inspect the system at least weekly to ensure that it is operational and images are being recorded and retained as required.

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 (1) inch in height: THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED.

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 a hearing officer.

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 4-36.20. Penalties.

Notwithstanding Section 1-5, violations of this section shall carry the following penalties:

a. Any person violating any provision of this article may be subject to administrative citations. The fine for such violations shall be two hundred fifty (\$250.00) dollars for the first offense, a fine of five hundred (\$500.00) dollars for a second offense within a one (1) year period and a fine of one thousand (\$1,000.00) dollars for a third offense within a one (1) year period.

b. Any person violating any provision of this article shall be guilty of an infraction which shall be punishable by a fine not exceeding two hundred fifty (\$250.00) dollars, or a misdemeanor, which shall be punishable by a fine not exceeding one thousand (\$1,000.00) dollars per violation, or by imprisonment in the County jail for a period not exceeding six (6) months, or by both such fine and imprisonment. d. Any business conducted or maintained contrary to this article shall constitute a public nuisance.

**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.

b. 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,

c. 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.

(v) 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.

(iii) ...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.

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. Severability 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.

Alhambra Code of Ordinances

Codified through Ordinance Number 4787, passed May 24, 2021. (Supplement Number 2021 S-18)

**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 Number 2021-220, passed April 21, 2021.

**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 Number 1806, passed May 11, 2021.

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 Number 6510, passed May 11, 2021. Supplement Number 23

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.

Title 6 – Public Health and Safety

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 Municipal Code

Codified through Ordinance Number 500, passed July 21, 2020.

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	I2	Industrial Heavy
R2	Two-Family Residential	VC	Visitor Serving Commercial
R3	Multifamily Residential	LC	Light Commercial
HC	Historical Commercial	P	Permitted
CC	Central Commercial	C	Conditional Use
SC	Suburban Commercial	NP	Not Permitted
BAE	Business Attraction and Expansion	SP	Site Plan
I1	Industrial Light		

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

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

Antioch Code of Ordinances

Codified through Ordinance Number 2186-C-S, passed June 23, 2020. Supp. No. 35

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 Municipal Code
Codified through Ordinance Number 1545, passed May 5, 2021.

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 Municipal Code
Codified through Ordinance Number 21-916 and the March 2021 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 34-1 Permitted and Conditionally Permitted Uses in the M-1 and M-2 Zones

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

Atherton Municipal Code
Codified through Ordinance Number 647, passed October 21, 2020.

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 Number CS 1014, passed September 23, 2019. (Supp. No. 8, Update 1)

**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 or 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 Number 2021-01, enacted February 1, 2021. (Supp. No.64)

**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 Municipal Code

Codified through Ordinance Number 5051, passed May 19, 2021.

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 or her.

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 Section 17.64.020(B), 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 code:

B. Ammunition manufacture;

Banning Code of Ordinances

Codified through Ordinance Number 1571, adopted January 12, 2021. (Supplement Number 48, 12-20)

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 Number 968-2020, enacted October 19, 2020. (Supplement Number 6)

Title 19 – Zoning

Chapter 19.10 – Residential Districts

Section 19.10.080. Home occupation permits.

(e) 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 Number 1131, adopted May 18, 2021. (Supplement Number 5, Update 2)

Title 17 - Zoning

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	RTN	RMF	CN	CC	M	C
General Merchandise and Trade										
Guns and Ammunition	N	N	N	N	N	N	N	C	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 Municipal Code

Codified through Ordinance Number 1268 and the May 2021 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 Municipal Code

Codified through Ordinance Number 915, passed June 14, 2021.

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 Number 1405 and the April 2021 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

Uses	Area 1			Area 2		
	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 Number 2020-1154, enacted December 7, 2020. (Supplement Number 46)

Chapter 15 – Offenses, Miscellaneous

Article II – Weapons

Division 2 – Firearms

Section 15-33. Defined.

(a) **"Firearm"** means a firearm as defined in California Penal Code, Section 16520 other than an unserviceable firearm as defined by Code of Federal Regulations Title 27, Section 479.11.

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. Safe storage of firearms in residences.

(a) Except when carried on the person, no person shall keep a firearm in any residence unless the firearm is secured by a firearm safety device listed on the Department of Justice's roster of firearm safety devices certified for sale under Penal Code Section 23655.

(b) To encourage reporting of lost or stolen firearms, a person who complies with California Penal Code section 25250 by reporting the loss or theft of a firearm they own or possess to a local law enforcement agency within five days from the time they knew or reasonably should have known the firearm had been lost or stolen shall not be prosecuted for violation of subsection (a).

(c) The requirements of this section are in addition to the requirements for Penal Code Sections 25100 and 25105.

Berkeley Municipal Code

Codified through Ordinance Number 7764-NS, passed June 15, 2021.

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.

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 Municipal Code

Codified through (Covering Ordinances through 2021-492), May 3, 2021 (Supplement Number 23)

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 Number 423, adopted September 8, 2020**

**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 Number 2021-06, adopted June 1, 2021 (Supplement Number 34, Update 1)

Chapter 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.

Buellton Municipal Code

Codified through Ordinance Number 20-06 and the October 2020 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 Municipal Code

Codified through Ordinance Number 1690 and the January 2021 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 Number 21-3,959, passed June 22, 2021.

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 Municipal Code

Codified through Ordinance Number 1992 and the May 2021 code supplement.

Title 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 Number 4203, passed June 22, 2021. (Supplement Number 52)

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 Number 2021-392, passed March 24, 2021. (Supplement Number 55)

**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:

3. 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)

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

Chapter 17.12 – Standards for Specific Land Uses

Section 17.12.115. Home occupations.

B. Limitations on use.

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 Number 3159, passed June 22, 2021. (Supplement Number 18, Update 6)

**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:

4. Gun shop/gunsmith;

Calexico Code of Ordinances

Codified through Ordinance Number 1214, passed April 21, 2021. (Supplement Number 18)

**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 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 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 Number 21-783, enacted January 26, 2021. (Supplement Number 9)

**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 Municipal Code

Codified through Ordinance Number 750, passed March 2, 2021.

**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 Number 2267, passed September 15, 2020. (Supplement Number 34)

**Title 5 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. 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.

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.

Capitola Municipal Code

Codified through Ordinance Number 1044, passed April 22, 2021.

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 signaling 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 17.124.070 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 Device 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 Number 746, adopted May 10, 2021. (Supplement Number 41)

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.

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 Municipal Code

Codified through Zoning Text Amendment of 21-2114, passed June 1, 2021.

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 Municipal Code

Codified through Ordinance Number 847 and the January 2021 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 Municipal Code

Codified through Ordinance Number 1035, passed November 12, 2020.

**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 Number 2021-006, May 5, 2021. (Supplement Number 31)

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 designed 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 any, 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.

D. 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 Municipal Code
Codified through Ordinance Number 364, passed February 9, 2021. (Supplement Number 45)

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 Municipal Code
Codified through Ordinance Number 3503, passed June 15, 2021.

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
Division 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 Municipal Code
Codified through Ordinance Number 2021-02, effective July 7, 2021 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

Use	Zone											
	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 Municipal Code

Codified through Ordinance Number 21-03, passed May 17, 2021.

**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 Number 765, passed December 1, 2020. (Supplement Number 11)

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.

Title 9 – Peace, Safety and Morals*

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, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from any gun, revolver, pistol, or firearm.

Concord Municipal Code

Codified through Ordinance Number 21-2, passed June 22, 2021.

Title 15 – Buildings and Building Regulations

Chapter 15.85 – Building Security

Section 15.85.100. Commercial building security provisions.

(f) 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 Ordinance Code

Codified through Ordinance Number 2021-20, passed June 22, 2021. (Supplement Number 94)

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 Manufacturers 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 designated 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 Municipal Code

Codified through Ordinance Number 3323, passed November 18, 2020. (Supplement Number 41)

**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 or 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 Public 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 Municipal Code

Codified through Ordinance Number 2021-02, passed March 16, 2021.

**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 Number 1007, passed June 15, 2021. (Supplement Number 26)

**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 Municipal Code

Codified through Ordinance Number 21-03, passed March 16, 2021.

**Title 9 – Public Peace, Morals and Safety
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, 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 – R-1-7500 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 Municipal Code

Codified through Ordinance Number , current through February 28, 2021. (Supplement Number 16)

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).

A. 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 Municipal Code
 Codified through Ordinance Number 1186 and the January 2021

**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.

F. Definitions “F” 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 Number 1449, passed May 10, 2021. (Supplement Number 31)

**Title 9 – Public Peace, Morals Welfare
VII – Offenses by or Against Minors
Chapter 9.46 – 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 Municipal Code

Codified through Ordinance Number 2021-01, passed March 2, 2021.

**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.

³Editor'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 Municipal Code

Codified through Ordinance Number 2607, effective August 1, 2021.

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; and

Del Mar Municipal Code

Codified through Ordinance Number 975, adopted March 1, 2021. (Supp.No. 7, Update 1 6)

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 Number 2020-1324, passed November 16, 2020. (Supplement Number 9)

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 Number 01(2021), enacted July 20, 2021. (Supplement Number 33, 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
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(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 Municipal Code

Codified through Resolution Number 2021-02, passed May 25, 2021.

Title 9 – Public Peace, Safety and Morals

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.
- H. 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 Municipal Code

Codified through Resolution Number 21-002, passed January 19, 2021.

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 Municipal Code

Codified through Resolution Number 21-1461 and the May 2021 code supplement.

Article IX – Land Use

Chapter 4 – Regulations for Special Uses and Structures

Section 9420 – Special Events

Section 9420.22. 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. Additionally, outside consignments and lot purchases and the like shall not be permitted.

Dublin Municipal Code

Codified through Resolution Number 4-21, passed June 6, 2021

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:

5. 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.

Section 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.

Section 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 Number 02-2021, enacted February 16, 2021. (Supplement Number 23)

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, lease, 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).

Title 9 – Public Peace, Morals and Welfare
Chapter 9.24 – Dangerous Weapons
Article II – Discharge and Possession of Weapons

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 Municipal Code

Codified through Ordinance Number 21-05, enacted July 8, 2021. (Supplement Number 11, Update 3)

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 Municipal Code

Codified through Ordinance Number 5110 and the May 2021 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 Number 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 Number 18-14, enacted September 11, 2020. (Supplement Number 116)

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 Number 2021-02, passed May 18, 2021. (Supplement Number 37)

**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 Number 5142, passed June 8, 2021. (Supplement Number 8)

**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 Number 2986, passed November 4, 2020. (Supplement Number 33)

**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, revolver, 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 firearms. 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 Number 13-2021, passed June 23, 2021.

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.

A. 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:

- 6. 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;
- L.** Retail sale from site, including but not limited to firearms and retail car sales.

Emeryville Municipal Code
Codified through Ordinance Number 21-004, passed June 1, 2021.

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) 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 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 these 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 validity.

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 Number 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 Municipal Code

Codified through Ordinance Number 2021-05 and the June 2021 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 Number 911-C.S., passed December 15, 2020. (Supplement Number 25)

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 Number 2021-10, passed June 1, 2021.

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 Municipal Code
Codified through Ordinance Number 1864, adopted March 23, 2021. (Supplement Number 50)

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 Number 1865, enacted March 23, 2021. (Supplement Number 2)

Chapter 30 – Zoning and Development Code
Article II – Administrative Procedures
Division 19 – Home Occupation Permit

Section 30-263. 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:

- (7)** Any business dealing with firearms, ammunition, explosives, or ancillary products.

Fountain Valley Municipal Code
Codified through Ordinance Number 1567 and the February 2021 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

Land Use (1)	Permit Required by District					Specific Use Regs.
	CP	C1	C2	CM	M1	
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 Municipal Code
 Codified through Ordinance Number 636, passed May 17, 2021.

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.

Section 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.

Section 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.

Section 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 Number 2020-05, passed September 15, 2020. (Supplement Number 18)

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.

Fowler Zoning Code

Codified through Ordinance Number 2020-06, adopted November 17, 2020. (Supp. No. 6)

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 Municipal Code

Codified through Ordinance Number 05-2021, passed April 20, 2021.

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 required to cease operation by December 31, 2019..

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 Number 2021-033, Effective July 29, 2021 (Supplement Number 37)

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.

(q) 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.

(r) 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 Number 21-009, passed July 26, 2021. (Supplement Number 37)

**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 Municipal Code
Codified through Ordinance Number 3297, June 2021.

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 Municipal Code
Codified through Ordinance Number 1830, passed June 8, 2021.

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.

Section 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)

Section 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 Number 2021-01, passed March 1, 2021.

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 Municipal Code
Codified through Ordinance Number 59697, passed June 2021.

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.

No person shall:

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 Municipal Code

Codified through Ordinance Number 2059 and the April 2021 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 Number 809, enacted April 27, 2021. (Supplement Number 4)

**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 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 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 Number 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 Municipal Code

Codified through Ordinance Number 550, passed October 13, 2020.

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 Municipal Code

Codified through Ordinance Number 2020-488 and the August 2020 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 Number 489, enacted December 11, 20219. (Supplement Number 6)

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 Municipal Code

Codified through Ordinance Number 2020-07, passed November 3, 2020.

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 Number 584U and the March 6, 2019 code supplement.

Title 9 – Public Peace, Morals and Welfare

VIII – Weapons

Chapter 9.60 – Weapons

Section 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 Municipal Code

Codified through Ordinance Number 2216 and the January 2021 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

Section 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 Municipal Code

Codified through Ordinance Number ME 20-01, adopted November 3, 2020. (Supplement Number 14)

Chapter 3 – Public Safety **Article 4 – Dangerous Weapons**

Section 3-4.00. Dangerous weapon definition.

Dangerous weapon shall mean and include:

6. 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 be 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 Municipal Code
Codified through Ordinance Number 1210, passed May 3, 2021.

Title 9 – Public Safety and Welfare
Chapter 9.16 – 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 Municipal Code

Codified through Ordinance Number 532, passed February 9, 2021.

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.

All commercial and industrial buildings shall comply with the following regulations:

(f) Intrusion Detection Devices.

(2) Establishments having specific type inventories shall be protected by the following type alarm service:

A. Silent alarm—Supervised service.

ii. Guns and ammunition.

Hermosa Beach Municipal Code

Codified through Ordinance Number 21-1428U, passed March 23, 2021.

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 Municipal Code

Codified through Ordinance Number 446, passed January 26, 2021

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 Number 768, enacted March 8, 2021. (Supplement Number 22)

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 Number 1199, enacted December 21, 2020. (Supplemental Number 4)

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).

17.08-1 Commercial and Mixed Use Zone Uses and Permit Requirements

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 Municipal Code

Codified through Ordinance Number 2021-05, passed June 28, 2021.

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 Municipal Code

Codified through Ordinance Number 2021-01 and the June 2021 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 Municipal Code

Codified through Ordinance Number 2021-1202 and the June 2021 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 Number 1568, adopted March 2, 2021. (Supplement Number 52, 6-12)

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 Municipal Code

Codified through Ordinance Number 731 and the January 2021 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 Number 815 and the May 2021 code supplement.

Title 9 – Public Peace, 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 Municipal Code
Codified through Ordinance Number 21-09 and the July 2021 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 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 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 749, updated on June 10, 2020 (Supplement Number 14)

Title 9 – Public Peace, Morals and Welfare

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 Municipal Code

Codified through Ordinance Number 719 and the May 2021 code supplement.

**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 Municipal Code

Codified through Ordinance Number 21-04, passed April 28, 2021.

**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 Number G-9028, passed June 22, 2021 (Supplement Number 53, Update 2)

**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 Municipal Code

Codified through Ordinance 1828 and the February 2021 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 Number 716, passed February 23, 2021 (Supplement Number 30)

**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 Number 2021-2886, passed June 8, 2021 (Supplement Number 20)

**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 Number 972, passed March 9, 2021. (Supplement Number 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 5.32.02. 0 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 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 Municipal Code

Codified through Ordinance Number 595 and the June 15, 2021 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 Municipal Code

Codified through Ordinance Number 1101 and the May 2021 code supplement.

Title 18 – Zoning

Chapter 18.96 – Home Occupations Permits

Section 18.96.080. Criteria for specific uses.

B. 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 Municipal Code

Codified through Ordinance Number 678, adopted April 27, 2020. (Supplement Number 20)

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 6-984. 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 Municipal Code

Codified through Ordinance Number 2020-2, passed September 8, 2020.

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 Number 2020-207, enacted August 4, 2020. (Supplement Number 22)

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:

(17) Retail sale of concealable firearms.

Division 3 – Specific Additional License Requirements and Business Regulations

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 Number 21-01, enacted February 17, 2021. (Supplement Number 29)

**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 Municipal Code

Codified through Ordinance Number 1457, passed June 8, 2021.

**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.

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.

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.

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 Chapter 5.04 of this title:

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 Chapter 4 of Division 5 of Title 4 of Part 6 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 Ordinances 1084, July 30, 2021. (Supplement Number 10-21, Upd. 1)

**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:

- 17. The manufacturing, sale, lease, or rental of firearms and/or ammunition;

Lassen County Code of Ordinances

Codified through Ordinance Number 2020-003 and the January 2021 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 Municipal Code

Codified through Ordinance Number 20-419 and the May 2021 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:

M. Gunsmiths.

Lawndale Municipal Code

Codified through Ordinance Number 1179-21 and the March 2021 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 Municipal Code

Codified through Ordinance Number 457 and the February 2021 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 Municipal Code

Codified through Ordinance Number 2124, passed June 28, 2021.

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 Municipal Code

Codified through Ordinance Number 761 and the February 2021 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 Number 824, enacted June 15, 2021. (Supplement Number 15, Update 2)

**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 Municipal Code

Codified through Ordinance Number 1679(21) and the June 2021 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 Number ORD-21-0020(Emerg.), enacted June 15, 2021. (Supplement Number 33)

Title 5 – Regulation of Businesses, Trades and Professions

Chapter 5.36 – Firearms Dealer

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.

Title 9 – Public Peace, Morals and Welfare

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 Number 2020-473, passed October 27, 2020. (Supplement Number 35)

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

Codified through Ordinance Number 2021-0033, adopted July 13, 2021. (Supplement Number 130, Update 1)

**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.

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 Number 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 7 – Standards for Specific Uses
Chapter 22.140 – Standards for Specific Uses**

Section 22.140.290. Home-Based Occupations.

TABLE 22.140.290-A: USES PROHIBITED AS HOME-BASED OCCUPATIONS

TABLE 22.140.290-A: USES PROHIBITED AS HOME-BASED OCCUPATIONS
Firearms manufacturing or sales
Gunsmith services

**Division 4 – Combining Zones and Supplemental Districts
Chapter 22.44 – Santa Monica Mountains Local Implementation Program**

Section 22.44.1490. Home-based Occupations.

B. The following uses are prohibited:

Firearms manufacturing or sales

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. Number 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 Firearms.

(a) Definitions.

1. **"Firearm"** means a Firearm as defined in California Penal Code, Section 16520, as amended from time to time.

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. **"Residence"** means 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, and recreational and other vehicles where human habitation occurs.

4. **"Trigger Lock"** shall mean a trigger lock that is listed in the California Department of Justice's roster of approved firearm 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 § 23655(d).

(b) Prohibition. No person shall keep a firearm within a residence unless the firearm 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 firearm 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 firearm who is over the age of 18 can readily retrieve and use the firearm 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 Number 2318, enacted May 4, 2021. (Supplement Number 86)

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 permittee, 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 permittees, 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 permittee 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) Permittee, 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 permittee, 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 permittee. Whenever the Town has reasonable cause to believe that grounds for the suspension or revocation of a permit exist, the Town shall give the permittee 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 permittee 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 permittee notice in the same manner of delivery as set forth in subsection (d)(1) above. At the hearing, the permittee 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 permittee 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 permittee 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 Municipal Code

Codified through Ordinance Number 1734, passed April 23, 2020

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.

Chapter 25 – Zoning

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					