

Prevent Handgun Violence Against Kids
&
Legal Community Against Violence

*How California Communities
Are Addressing the Epidemic
of Handgun Violence*



Communities
on the
MOVE
2000



LCAV



INTRODUCTION

Firearms killed 3,863 Californians in 1997, including 596 who were aged 19 and under.¹ For young people between the ages of 13 and 19, firearms are the leading cause of death.² The vast majority of the time, the firearm in question is a handgun.

Communities on the Move was created by Legal Community Against Violence and Prevent Handgun Violence Against Kids to track actions taken by cities and counties throughout California to combat handgun violence. Specifically, the project monitors firearms regulations enacted at the local level.

Since 1995, Communities on the Move has chronicled a tremendous growth in local efforts to reduce firearm deaths and injuries. As of May 31, 2000, the combined results of the four annual surveys revealed that **101** cities and **10** counties have enacted **300** innovative firearms regulations. That is more than **four times** the number that existed at the time of the first Firearms and Ammunition Local Ordinance Survey, less than five years ago.³

This groundswell of local activity has had a great impact at the state level. In 1999, Governor Gray Davis signed five major pieces of legislation designed to reduce gun violence. These included limiting handgun purchasers to one gun a month, banning the sale of “Saturday Night Specials” or “junk guns” and requiring that a locking device be included with every gun sold. Each of these concepts originated at the local level.

The 2000 Firearms and Ammunition Local Ordinance Survey was distributed to local officials, including city attorneys, county counsels, city clerks and county clerks in every city and county in California. A total of 173 cities and 23 counties responded to the survey. Jurisdictions are listed as having enacted an ordinance only if a copy of that law has been received and reviewed by Legal Community Against Violence.

This booklet presents a summary of the accumulated survey information to date. If you would like more information, please contact Legal Community Against Violence at (415) 433-2062 or www.lcav.org.

Growth of Firearms Regulations — 1996-2000

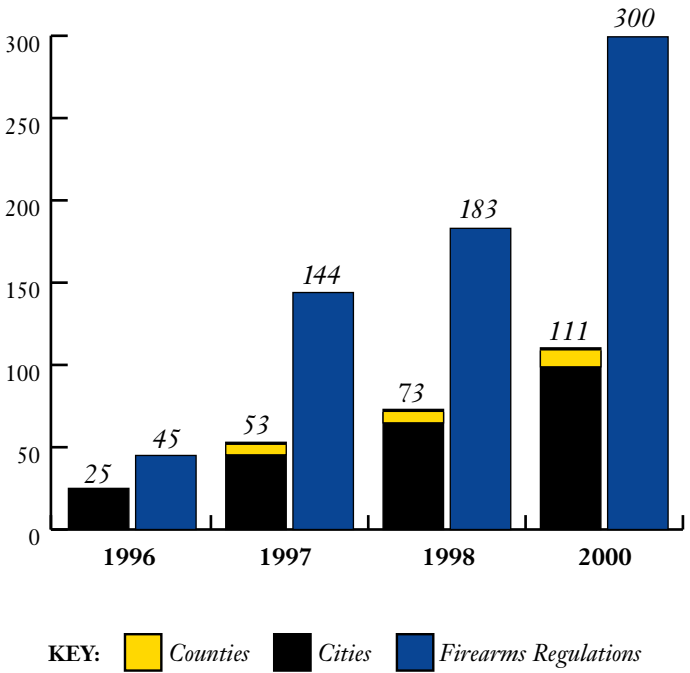


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Local Ordinance Survey

PROHIBITING THE SALE OF “SATURDAY NIGHT SPECIALS”

The following jurisdictions have enacted legislation to ban the sale of “Saturday Night Specials” or “junk guns.” These firearms are poorly constructed, easily concealable handguns that lack safety features and are disproportionately used in crimes. The sale and manufacture of junk guns will be prohibited in California beginning January 1, 2001.

Alameda	Oakland
Alameda County	Piedmont
Albany	Pinole
Baldwin Park	Pleasanton
Bell Gardens	Pomona
Belmont	Richmond
Berkeley	Rohnert Park
Beverly Hills	Sacramento
Compton	San Anselmo
Contra Costa County	San Carlos
Daly City	San Francisco City & County
El Cerrito	San Jose
Emeryville	San Leandro
Foster City	San Mateo
Fremont	San Mateo County
Half Moon Bay	San Pablo
Hayward	San Rafael
Huntington Park	Santa Barbara
Inglewood	Santa Cruz
La Puente	Santa Cruz County
Livermore	Santa Monica
Los Angeles	Santa Rosa
Los Angeles County	Sonoma County
Marin County	Tiburon
Maywood	Union City
Montebello	Walnut Creek
Monterey Park	West Covina
Norwalk	West Hollywood

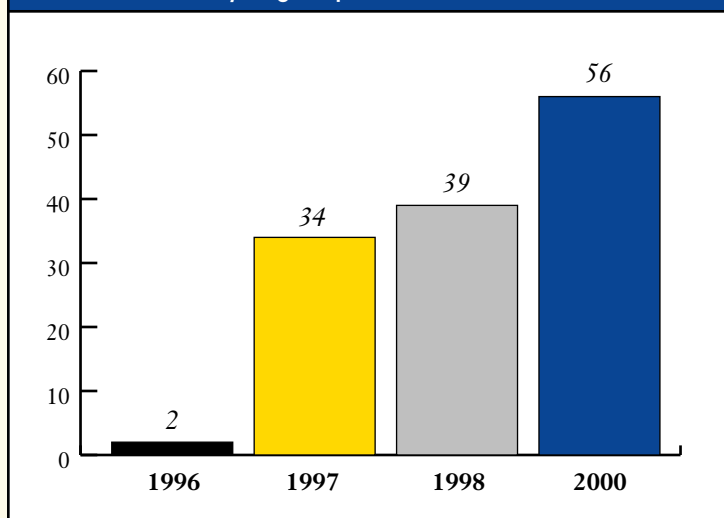
REGULATING FIREARMS DEALERS

Requiring Firearms Dealers to Obtain a Local License/Permit⁴

The following jurisdictions have enacted ordinances requiring all firearms dealers to obtain a local license or permit that is more comprehensive than the minimum standards outlined in the state Penal Code.

Alameda	Palo Alto
Albany	Piedmont
Berkeley	Pleasanton
Beverly Hills	Richmond
Cathedral City	Sacramento
Chino	Salinas
Contra Costa County	San Anselmo
El Cerrito	San Diego
Fremont	San Francisco City & County
Hayward	San Pablo
Hercules	San Rafael
Lafayette	Santa Ana
Los Angeles	Santa Cruz
Los Angeles County	Santa Monica
Marin County	Tiburon
Oakland	West Hollywood

Growth of Saturday Night Special Ordinances — 1996-2000



Explicitly Prohibiting Firearms Dealers in Residential Areas

The following jurisdictions have enacted laws expressly prohibiting firearms dealers from operating in residential zones or areas, or from qualifying as a “home occupation”⁵ (i.e., a home business).

Albany	Oakland
Artesia	Oxnard
Berkeley	Pacifica
Beverly Hills	Palo Alto
Burbank	Pasadena
Calistoga	Piedmont
Cathedral City	Pinole
Contra Costa County	Pleasanton
Daly City	Richmond
El Cerrito	Salinas
Fontana	San Francisco City & County
Fremont	San Jose
Hercules	San Pablo
La Puente	San Rafael
Lafayette	Santa Ana
Long Beach	Santa Monica
Los Angeles	Sonoma County
Los Angeles County	Stockton
Monterey County ⁶	Vacaville
Moreno Valley ⁷	

Prohibiting Firearms Dealers Near Sensitive Areas

The following jurisdictions have enacted laws expressly prohibiting firearms dealers from operating near sensitive areas such as daycare facilities, schools, parks, places of worship or community/recreation centers.⁸

Albany	Palo Alto
Cathedral City	Pinole
Contra Costa County	Richmond
El Cerrito	Salinas
Hercules	San Francisco City & County
Los Angeles	San Pablo
Monterey County ⁹	San Rafael
Oakland	West Hollywood

Indirectly Prohibiting Firearms Dealers in Residential Areas

*The following jurisdictions have enacted ordinances that **indirectly** prohibit the residential sale of firearms. Common examples of this type of regulation include those that allow only the sale of products manufactured in the residence where they are sold, or those that prohibit retail sales entirely as a “home occupation.”*

Alameda	Norwalk
Anaheim	Pacific Grove
Antioch	Palm Desert
Arroyo Grande	Porterville
Calimesa	Redding
Campbell	Reedley
Colma	Riverside
Danville	Sacramento
Dunsmuir	San Benito
Glendale	San Bruno
Hollister	San Diego
Imperial	Solana Beach
Madera	Torrance
Marin County	Walnut Creek
Menlo Park	West Hollywood
Merced	Yountville
Millbrae	

Requiring Firearms Dealers to Carry Liability Insurance

The following jurisdictions have enacted legislation requiring firearms dealers to carry liability insurance, typically with a minimum coverage of at least \$1 million.

Albany	Pasadena
Berkeley	Piedmont
Beverly Hills	Pleasanton
Cathedral City	Richmond
Fremont	Salinas
Hayward	San Anselmo
Lafayette	San Francisco City & County
Los Angeles	San Pablo
Los Angeles County	San Rafael
Marin County	Santa Monica
Oakland	Tiburon
Palo Alto	

Requiring Firearms Dealers to Keep Records of Ammunition Sales

The following jurisdictions have enacted ordinances requiring dealers to keep records of all ammunition sales.

Baldwin Park	Pomona
Beverly Hills	San Anselmo
Contra Costa County	San Francisco City & County
Hayward	Santa Ana
Inglewood	Santa Monica
Los Angeles	Tiburon
Marin County	West Hollywood
Oakland	

Requiring Background Checks of Firearms-Dealer Employees

The following jurisdictions have enacted laws that generally prevent firearms dealers from obtaining (or retaining) a permit to sell firearms if they, and/or any of their agents, officers or employees who handle or control firearms, are prohibited from possessing firearms under the Penal Code.

Most comprehensive background checks.

Berkeley	Sacramento
Cathedral City	San Anselmo
El Cerrito	San Diego
Fremont	San Leandro
Hercules	San Pablo
Marin County	San Rafael
Pleasanton	Tiburon
Richmond	West Hollywood

Moderately comprehensive background checks.

Beverly Hills	Palo Alto
Oakland	Salinas

Less comprehensive background checks.¹⁰

Alameda	Los Angeles County
Chino	Merced ¹²
El Segundo ¹¹	Piedmont
Hayward	San Francisco City & County
La Puente	Santa Ana
Lafayette	Santa Monica
Los Angeles	

REQUIRING LOCKING DEVICES TO BE PROVIDED WITH ALL GUNS SOLD

The following jurisdictions have enacted laws requiring that a childproofing or disabling device to prevent unintentional discharge be sold with all handguns. California will require that locking devices be included with every firearm sold beginning January 1, 2002.

Alameda County	National City
Berkeley	Oakland
Beverly Hills	Oceanside
Calexico	Pasadena
Chula Vista	Piedmont
Contra Costa County	Pleasanton
Daly City	Richmond
Escondido	Sacramento
Foster City	San Anselmo
Fremont	San Diego
Half Moon Bay	San Diego County
Hayward	San Francisco City & County
Imperial Beach	San Jose
Inglewood	San Leandro
Lafayette	San Mateo
Livermore	San Mateo County
Los Angeles	San Rafael
Los Angeles County	Tiburon
Marin County	Union City
Monterey Park	West Hollywood

IMPOSING FIREARMS-RELATED TAXES

The following jurisdictions have enacted a specific tax on firearms sales, or a specific “gross receipts” tax on all merchandise sold by firearms dealers.

Berkeley	Oakland
El Monte	San Leandro
Los Angeles	

PROHIBITING SALES OF HIGH-CAPACITY AMMUNITION MAGAZINES

The following jurisdictions have enacted ordinances that prohibit the sale of high-capacity magazines.

Baldwin Park	Los Angeles
Beverly Hills	Sacramento
Cathedral City	San Francisco City & County
Inglewood	West Hollywood

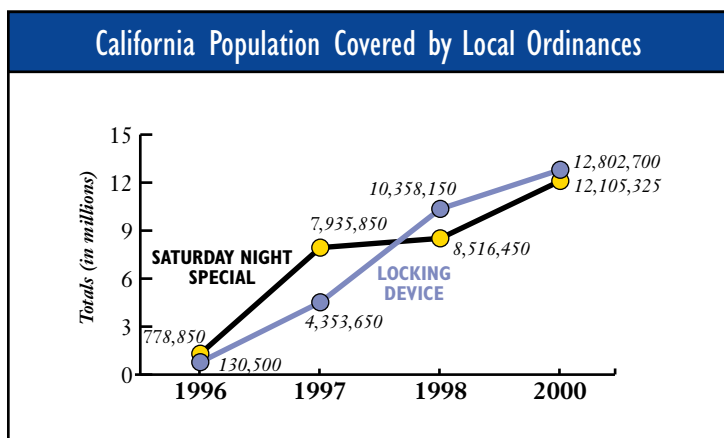
LOCAL ORDINANCE PROJECT

In 1996, Legal Community Against Violence (LCAV) published *Addressing Gun Violence Through Local Ordinances: A Legal Resource Manual for California Cities and Counties*. Endorsed by the California Police Chiefs Association, the *Manual* answers many of the questions posed by city and county officials about the ability of local governments to regulate firearms. The *Manual* also provides legal analysis of many types of ordinances that have been considered or enacted by cities and counties throughout California.

The *Manual* and annual *Supplements* have been distributed to thousands of local officials and community leaders statewide as part of LCAV's Local Ordinance Project, which coordinates free legal and technical assistance for cities and counties seeking to reduce gun violence through the adoption of local ordinances.

The *Manual* and annual *Supplements* are available free of charge at www.lcav.org. Hard copies of the *Manual* are \$12 and each *Supplement* is \$10, although complimentary copies may be obtained by local officials.

Publication and dissemination of the Manual and Supplements are made possible through the generous support of The California Wellness Foundation, the Five Bridges Foundation, The Wallace Alexander Gerbode Foundation, The David and Lucile Packard Foundation, the John and Michelle Scully Fund, the Van Loben Sels Foundation, and hundreds of individuals and organizations.



TOTAL CALIFORNIA POPULATION: 32,666,550

2000 population figures are based on the most recent estimates available. Public Sector Publications, California Public Sector Directory, 2000; and Encarta.msn.com (May 22, 2000).



Prevent Handgun Violence Against Kids

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FOOTNOTES

- ¹ Centers for Disease Control and Prevention, *California Injury Mortality Statistics, 1997*.
- ² Id.
- ³ The first survey was sent to 132 California cities. Subsequent surveys have been sent to all California cities and counties.
- ⁴ Firearms-dealer licensing has not previously been counted as a separate category. However, since many jurisdictions go beyond California's minimum dealer-licensing standards, this category has been added to better reflect the true number of innovative local firearms regulations.
- ⁵ Pre-existing residential firearms dealers are sometimes exempted. In addition, some jurisdictions allow exceptions at the police chief's discretion.
- ⁶ Applies to sale of handguns only.
- ⁷ Applies to sale of ammunition only.
- ⁸ Many jurisdictions also prohibit firearms dealers from operating near other firearms dealers, massage parlors, card rooms, businesses selling alcohol and/or adult entertainment establishments.
- ⁹ Applies to sale of handguns only.
- ¹⁰ Where there was doubt about the scope of a background-check provision, it was assigned to this subgroup.
- ¹¹ Applies to sale of handguns only.
- ¹² Id.

Acknowledgments

The Firearms and Ammunition Local Ordinance Survey Project owes much of its success over the last five years to a few key contributors. Past and present, they include: Barbara Baksa, Giancarlo Barletta, Martin & Glantz LLC, Nishan Lola DeMoon, Monica Pasqual and Andrew Spafford.

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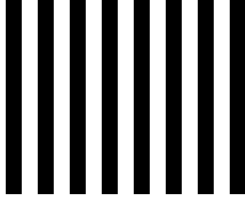
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