ORDINANCE NO. 41-07 N. S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND ADDING
CHAPTER 11.97 TO THE MUNICIPAL CODE OF THE CITY OF RICHMOND
ENTITLED THE REPORTING OF LOST OR STOLEN FIREARMS

The Council of the City of Richmond ordains as follows:

Section I.  Amendment

Article XI of the Municipal Code of the City of Richmond is hereby amended by
adding a Chapter 11.97 which reads as follows:

Chapter 11.97

THE REPORTING OF LOST OR STOLEN FIREARMS

Sections:

11.97.010  Purpose
11.97.020  Duty of Firearm Owner to report Loss or Theft
11.97.030  Duty of Law Enforcement to Report to Department of Justice
11.97.040  Exemptions
11.97.050  Penalty
11.97.060  Severability
11.97.070  Effective Date

11.97.10  Purpose

The purpose of this chapter is to require the owners of any firearm to report its
loss or theft to the Richmond Police department within 48 hours of the loss or theft.

11.97.020  Duty of Firearm Owner to Report Loss or Theft

A.  Any person who owns or possesses a firearm shall report the loss or theft of the
firearm to the Richmond Police Department within 48 hours of the time he or she knew
or should have known that the firearm was lost or stolen, whenever the loss or theft of the
firearm occurs in the City of Richmond.

B.  A person reporting a lost or stolen firearm shall report the make, model, and serial
number of the firearm, if such information is known to the person.

11.97.030  Duty of Law Enforcement to Report to Department of Justice

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

11.97.040  Exemptions

A.  Persons licensed to manufacture firearms pursuant to California Penal Code Section
12086 are exempt from this chapter if the lost or stolen firearm was business merchandise
lost or stolen from their firearm-related business.

B.  Persons licensed to sell firearms pursuant to California Penal Code Section 12071 are
exempt from this chapter if the lost or stolen firearm was: (1) a firearm kept at their place
of business; (2) business merchandise lost or stolen from their firearm-related business;
or 3) in their possession pursuant to Penal Code Section 12082.
Any person violating this chapter is guilty of a misdemeanor.

If any section, subsection, paragraph, sentence or word of this chapter is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have adopted this chapter irrespective of the invalidity of any section, subsection, paragraph, sentence or word.

This chapter shall become effective 30 days after its final adoption and passage.

First read at a regular meeting of the Council of the City of Richmond held September 18, 2007, and finally passed and adopted at a regular meeting thereof held October 2, 2007, by the following vote:

AYES: Councilmember Butt, Lopez, Rogers, Sandhu, Thurmond, and Mayor McLaughlin

NOES: Councilmember Bates

ABSTENTIONS: Councilmember Marquez

ABSENT: Councilmember Viramontes

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE, Interim
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 41-07 N.S., finally passed and adopted by the Council of the City of Richmond at a meeting held on October 2, 2007.