

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.

11.97.050 Penalty

Any person violating this chapter is guilty of a misdemeanor.

11.97.060 Severability

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.

11.97.080 Effective Date

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

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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

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

[SEAL]

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE, Interim
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

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.