



CITY OF SAN MATEO

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Agenda Report

Agenda Number: {{item.number}}

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Attorney Department
MEETING DATE: July 20, 2020

SUBJECT:
Safe Gun Storage – Ordinance Consideration

RECOMMENDATION:
Receive report from staff and provide direction on whether to draft an ordinance for City Council consideration.

BACKGROUND:
In 2019, MOMS DEMAND ACTION (MDA), a gun safety advocacy group, requested that the City Council consider adopting an ordinance that mandates the safe storage of guns. The City Council directed staff to research the request and bring it back for council consideration as a study item.

Information provided by MDA indicates that every year 350 children unintentionally shoot themselves or someone else, and that 77% of these shootings take place within a home. In addition, 590 children die by gun suicide each year, with most of these taking place within their own home. The information provided also shows that 78% of children who shoot others outside the home obtained the guns used from their home, or the home of a friend or relative. MDA seeks to address this problem by promoting the adoption laws that require the safe storage of guns.

The Legislature has made some effort to address this concern. For example, existing state law requires firearm dealers to ensure that all gun purchasers have an appropriate safety device. Sellers must either provide an approved device at the point of sale or verify that the buyer already owns one. However, state law does not require gun owners to actually use these devices.

California law may also impose criminal liability on a gun owner when they fail to take reasonable precautions to keep their guns out of the hands of children; however, these laws do not impose a clear mandate to keep guns unloaded and locked while they are not being used.

MDA advocates the adoption of an ordinance that would mandate safe gun storage. Specifically, the group asks that cities and counties exercise their authority to regulate gun storage to require that weapons be unloaded and locked when they are not being used. MDA has developed a model ordinance that is included with this report as Attachment 1. MDA reports that the following Peninsula jurisdictions have adopted a safe gun storage ordinance: Millbrae, Burlingame, Hillsborough, San Carlos, Foster City, Redwood City, Menlo Park, Portola Valley, and San Mateo County.

BUDGET IMPACT:
This action will have no impact on the city's budget.

ENVIRONMENTAL DETERMINATION:
This action is not a project subject to CEQA, because it can be seen with certainty that it will not cause a physical change in

the environment. (Public Resources Code Section 21065.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Model Ordinance

Att 2 - Public Comment

STAFF CONTACT

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