



OFFICE OF THE CITY MANAGER

CITY HALL

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PUBLIC SAFETY COMMISSION STAFF REPORT

Meeting: January 12, 2017

Subject

Consider amendments to Chapter 10.76, Firearms, of the Municipal Code to add gun safety measures

Recommended Action

Staff recommends that the Public Safety Commission review and recommend that the City Council approve an ordinance amending Chapter 10.76, Firearms, of the Cupertino Municipal Code to require gun safety measures within the City of Cupertino in compliance with state law (see Attachment 1).

Description

Council discussed gun safety during its 2016 priority setting session and directed staff to draft a resolution strengthening gun safety regulations in Cupertino. Nearby cities such as Sunnyvale have already adopted similar gun safety regulations.

California voters and the state legislature have also taken steps to improve gun safety. On November 8, 2016, California voters overwhelmingly passed Proposition 63 requiring background checks for ammunition purchases and banning large-capacity ammunition magazines by July 1, 2017. California law makers also passed a slew of gun measures addressing assault weapons, loaning of guns, illegal guns sales, and large-capacity magazines.

The violence and harm caused by and resulting from both the intentional and accidental misuse of guns constitutes a clear and present danger to residents. Sensible gun safety measures provide some relief from that danger and can benefit the entire community. The proposed gun safety measures provides for the safe storage of guns in homes, requires a gun owner to report a stolen or lost gun, prohibits the possession of ammunition magazines capable of holding more than ten rounds unless circumstances

warrant such possession, and requires record-keeping relating to the sale of ammunition. The proposed regulations are consistent with new state gun laws.

The Santa Clara County Sheriff's Office has reviewed the proposed gun safety ordinance and believes it will aid their law enforcement efforts and offer some protection to all members of the community. For this reason, staff recommends that the Public Safety Commission consider recommending that the City Council adopt the draft ordinance establishing additional gun safety measures.

Sustainability Impact

The proposed Ordinance is not a project within the meaning of section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment

Fiscal Impact

None.

Prepared by: Jaqui Guzmán, Deputy City Manager

Reviewed and Approved for Submission by: David Brandt, City Manager

Attachments:

A - Draft Ordinance