

1 [Requiring dealers to inventory firearms every six months.]

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3 **Ordinance amending the San Francisco Police Code by amending Section 613.10 to**
4 **require licensed firearms dealers to transmit to the Chief of Police an inventory of**
5 **firearms every six months.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Police Code is hereby amended by amending
11 Section 613.10, to read as follows:

12 **SEC. 613.10. LICENSE--CONDITIONS.**

13 In addition to all other requirements and conditions stated in this Article, each license
14 shall be subject to all of the following conditions, the breach of any of which shall be sufficient
15 cause for revocation of the license by the Chief of Police:

16 (a) The business shall be carried on only in the building located at the street address
17 shown on the license, except as otherwise authorized under Section 12071(b)(1) of the
18 California Penal Code.

19 (b) The licensee shall comply with Sections 12073, 12074, 12076, 12077 and 12082
20 of the California Penal Code, to the extent that the provisions remain in effect.

21 (c) The licensee shall not deliver any pistol or revolver to a purchaser earlier than 10
22 days after the application for the purchase, lease or transfer, unless otherwise provided by
23 State or federal law.

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MAYOR, DISTRICT ATTORNEY, SUPERVISOR MAXWELL, *Supervisor Milkasimi*
BOARD OF SUPERVISORS

1 (d) The licensee shall not deliver any firearm to a purchaser, lessee or other
2 transferee unless the firearm is unloaded and securely wrapped or unloaded in a locked
3 container.

4 (e) The licensee shall not deliver any firearm, firearm ammunition, or firearm
5 ammunition component to a purchaser, lessee or other transferee unless the purchaser,
6 lessee or other transferee presents clear evidence of his or her identity and age to the seller.
7 As used in this Section, "clear evidence of his or her identity and age" includes, but is not
8 limited to, a motor vehicle operator's license, a State identification card, an armed forces
9 identification card, an employment identification card which contains the bearer's signature
10 and photograph, or any similar documentation which provides the seller reasonable
11 assurance of the identity and age of the purchaser.

12 (f) The licensee shall not display in any part of the premises where it can be readily
13 seen from outside the premises, any firearm, firearm ammunition or imitation thereof, or
14 placard advertising the sale or other transfer thereof, other than a sign identifying the name of
15 the business.

16 (g) The licensee shall not sell, lease or otherwise transfer to any person any
17 ammunition that:

18 (1) Serves no sporting purpose;

19 (2) Is designed to expand upon impact and utilize the jacket, shot or materials
20 embedded within the jacket or shot to project or disperse barbs or other objects that are
21 intended to increase the damage to a human body or other target (including, but not limited to,
22 Winchester Black Talon, Speer Gold Dot, Federal Hydra-Shok, Hornady XTP, Eldorado
23 Starfire, Hollow Point Ammunition and Remington Golden Sabre ammunition; or

24 (3) Is designed to fragment upon impact (including, but not limited to, Black Rhino
25 bullets and Glaser Safety Slugs).

1 This subsection does not apply to conventional hollow-point ammunition with a solid
2 lead core when the purchase is made for official law enforcement purposes and the purchaser
3 is authorized to make such a purchase by the director of a public law enforcement agency
4 such as the Chief of the San Francisco Police Department or the Sheriff of the City and
5 County of San Francisco.

6 (h) The licensee shall post within the licensee's premises a notice stating the
7 following:

8 "THE CALIFORNIA PENAL CODE PROHIBITS THE SALE OF FIREARMS OR
9 FIREARMS AMMUNITION TO PERSONS UNDER THE AGE OF 18, AND FURTHER
10 GENERALLY PROHIBITS THE SALE OF A PISTOL, REVOLVER, OR FIREARM CAPABLE
11 OF BEING CONCEALED UPON THE PERSON TO ANY PERSON UNDER THE AGE OF
12 21."

13 The posted notice shall be in a conspicuous location, shall be in 36 point type block
14 letters in black ink on a white background, and shall be located so that the notice can easily
15 and clearly be seen by all prospective purchasers of firearms and firearm ammunition.

16 (i) The licensee shall not sell, lease or otherwise transfer any ultracompact firearm
17 except as authorized by Section 613.10-2 or any 50 caliber firearm or 50 caliber cartridge
18 except as authorized by Section 613.10-1.

19 (j) Any license issued pursuant to this Article shall be subject to such additional
20 conditions as the Chief of Police finds are reasonably related to the purpose of this Article.

21 (k) The licensee shall comply with the requirements of Section 613.10-3 and shall, in
22 addition, post the appropriate notice or notices, as specified below, in a conspicuous location
23 at the entrance of the licensee's premises (or at the entrance to the separate room or,
24 enclosure pursuant to Section 613.10-3(c)). Such notice shall be in 36 point type block letters
25 in black ink on a white background.

1 (1) Licensees that sell, lease or otherwise transfer firearms, other than firearms
2 capable of being concealed on the person, shall post a notice at the entrance to the premises
3 (or at the entrance to the separate room or enclosure pursuant to Section 613.10-3(c)) stating
4 the following:

5 "THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS
6 PROHIBIT ENTRY BY PERSONS UNDER AGE 18, AND FURTHER PROHIBITS ENTRY BY
7 (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM
8 POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021
9 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED FROM
10 POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY
11 DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND
12 TRIAL."

13 (2) Licensees that sell, lease or otherwise transfer firearms capable of being
14 concealed on the person shall post a notice at the entrance to the premises (or at the
15 entrance to the separate room or enclosure containing such firearms pursuant to Section
16 613.10-3(c)) stating the following:

17 "THE SAN FRANCISCO POLICE CODE REQUIRES THAT FIREARMS DEALERS
18 PROHIBIT ENTRY BY PERSONS UNDER AGE 21, AND FURTHER PROHIBITS ENTRY BY
19 (1) PERSONS CONVICTED OF A VIOLENT OFFENSE WHO ARE PROHIBITED FROM
20 POSSESSING FIREARMS PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 12021
21 OR 12021.1; AND (2) PERSONS WHO ARE CURRENTLY PROHIBITED FROM
22 POSSESSING FIREARMS BECAUSE THEY HAVE BEEN ADJUDICATED AS MENTALLY
23 DISORDERED, NOT GUILTY BY REASON OF INSANITY OR INCOMPETENT TO STAND
24 TRIAL."

1 (3) Licensees that sell, lease or otherwise transfer firearms capable of being
2 concealed on the person, but who keep such firearms in a separate room or enclosure in
3 accordance with Section 613.10-3(c) shall post the notice required by paragraph (1) at the
4 entrance to the premises or separate room or enclosure containing firearms that are not
5 capable of being concealed on the person, and shall post the notice required by paragraph (2)
6 at the entrance to the separate room or enclosure containing firearms capable of being
7 concealed on the person.

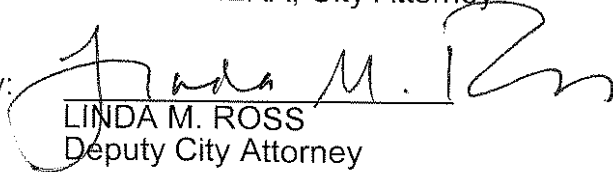
8 (l) The licensee shall notify the Chief of Police of the name, age and address of, and
9 submit a certificate of eligibility under Penal Code Section 12071 from the State Department
10 of Justice for, any person not listed on the licensee's application under Section 613:2(a)(1)
11 who will be given access to, or control of, workplace firearms, firearm ammunition, or firearm
12 ammunition components. The licensee shall submit the required information and certificate
13 within 10 days of such person being employed or otherwise being given access to, or control
14 over workplace firearms, firearm ammunition, or firearm ammunition components.

15 (m) Within the first five business days of April and October of each year, licensees shall cause
16 a physical inventory to be taken that includes a listing of each firearm held by the licensee by make,
17 model, and serial number, together with a listing of each firearm the licensee has sold since the last
18 inventory period. In addition, the inventory shall include a listing of each firearm lost or stolen that is
19 required to be reported pursuant to Penal Code Section 12071(b)(13). Licensees shall maintain a copy
20 of the inventory on the premises for which the license was issued. Immediately upon completion of the
21 inventory, licensees shall forward a copy of the inventory to the address specified by the Chief of
22 Police, by such means as specified by the Chief of Police. With each copy of the inventory, licensees
23 shall include an affidavit signed by the licensee (or, if the licensee is not a natural person, by an officer,
24 general manager, or other principal of the licensee) stating under penalty of perjury that within the
25

1 first five business days of that April or October, as the case may be, the signer personally confirmed the
2 presence of the firearms reported on the inventory.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:

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LINDA M. ROSS
Deputy City Attorney



City and County of San Francisco

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Tails

Ordinance

File Number: 070684

Date Passed:

Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

July 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Sandoval
Noes: 3 - Daly, Jew, Peskin

July 24, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Sandoval
Noes: 3 - Daly, Jew, Peskin

File No. 070684

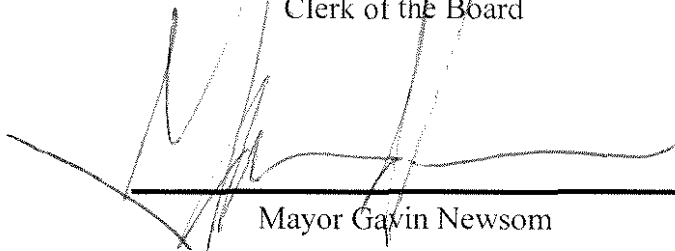
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on July 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board



Date Approved



Mayor Gavin Newsom