

ORDINANCE NO. 2023-17

SAFE STORAGE OF FIREARMS IN RESIDENCES

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance adds Chapter 54-22 to the County Ordinance Code to require safe storage of firearms in residences.

SECTION II. Chapter 54-22 is added to the County Ordinance Code, to read:

Chapter 54-22
SAFE STORAGE OF FIREARMS IN RESIDENCES

54-22.002 Purpose. The purpose of this chapter is to require safe storage of firearms in residences located in unincorporated Contra Costa County, through the use of a locked container or a firearm safety device. (Ord. 2023-17 § 2.)

54-22.004 Definitions. For purposes of this chapter, the following terms have the following meanings:

- (a) “Firearm” means a firearm as defined in Penal Code section 16520, as may be amended from time to time.
- (b) “Locked container” means a locked container as defined in Penal Code section 16850, as may be amended from time to time.
- (c) “Residence” means any structure intended or used for human habitation including, but not limited to, a house, condominium, room, single-room occupancy, accessory dwelling unit, in-law unit, mobile home, trailer coach or house car that is parked and being used as a residence, motel, hotel, time-share, and other locations where human habitation occurs, and regardless of the lawful status of the structure or its occupancy.
- (d) “Firearm safety device” has the meaning set forth in Penal Code section 16540, as may be amended from time to time.
- (e) “Immediate control” means within close enough proximity and control that the owner or other lawfully authorized user of a firearm can readily retrieve and use the firearm as if carried on the person. (Ord. 2023-17 § 2.)

54-22.006 Regulation of Firearm Storage.

A person may not keep a firearm in any residence owned or controlled by that person unless the firearm is stored in a locked container, or the firearm is disabled with a firearm safety device, that is listed on the California Department of Justice's roster of approved firearm safety devices and is identified by the California Department of Justice as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the firearm safety device. (Ord. 2023-17 § 2.)

54-22.008 Exceptions to Firearm Storage Regulation.

- (a) This chapter does not apply when a firearm is carried on the person of, or is otherwise in the immediate control and possession of, an individual in accordance with applicable law.
- (b) This chapter does not apply when a firearm is carried on the person of, or is otherwise in the immediate control and possession of, a peace officer, as defined in Penal Code sections 830 through 830.65, as may be amended from time to time. (Ord. 2023-17 § 2.)

54-22.010 Reporting Theft or Loss to Law Enforcement.

To encourage the reporting of lost or stolen firearms, a person who complies with California Penal Code section 25250 by reporting the loss or theft of a firearm the person owns or possesses to a local law enforcement agency within five days from the time they knew or reasonably should have known the firearm had been lost or stolen shall not be prosecuted for a violation of this chapter. (Ord. 2023-17 § 2.)

54-22.12 Penalties for Violations.

- (a) A violation of this chapter is a misdemeanor and is punishable by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars (\$1,000), or by both.
- (b) No provision of this chapter is intended to supersede or supplant any state or federal law. It is not the intention of this chapter to regulate any conduct if the regulation of that conduct has been preempted by state or federal law. (Ord. 2023-17 § 2.)

EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED ON _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By:

Deputy

[SEAL]