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CITY ATTORNEY

REPORT NO. R 15 - 0 1 6 7
JUN 1 8 2015

REPORT RE:

**DRAFT ORDINANCE ADDING SECTION 55.21 TO CHAPTER V OF THE
LOS ANGELES MUNICIPAL CODE TO REQUIRE HANDGUNS
LOCATED IN A RESIDENCE TO BE KEPT IN A LOCKED CONTAINER
OR DISABLED WITH A TRIGGER LOCK**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 14-1553

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would add Section 55.21 to Chapter V of the Los Angeles Municipal Code to require handguns located in a residence to be kept in a locked container or disabled with a trigger lock.

Your Honorable Body requested that this Office prepare and present an ordinance requiring handgun owners to either store their firearms in a locked container or disable them with a trigger lock when not in use. The draft ordinance is modeled after the safe storage of handguns laws adopted in the cities of San Francisco and Sunnyvale. The San Francisco ordinance withstood a Second Amendment challenge in the United States Court of Appeals for the Ninth Circuit.

The draft ordinance would make it a misdemeanor to keep an unsecured handgun within a residence. The handgun must be stored in a locked container or

disabled with a trigger lock that has been approved by the California Department of Justice. The draft ordinance would allow an exemption for a handgun that is carried on the person of an individual over the age of 18.

Council Rule 38

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Los Angeles Police Commission and the Los Angeles Police Department with a request that any comments be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Brian L. Sottile at (213) 978-8384. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:BS:pg
Transmittal