

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, AMENDING SECTION 9-2601 OF THE
FRESNO MUNICIPAL CODE, RELATING TO FIREARMS

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9-2601 of the Fresno Municipal Code is amended to read:

- (a) No person shall discharge a firearm into or within the city.
- (b) No person shall propel a missile by, or possess a sling shot, slung shot, bow or other instrument commonly used or which is designed for the throwing of any shot, bullet, rock, stone, arrow, or other missile.
- (c) No person shall hunt wildlife with any weapon described in this section.
- (d) No person under the age of eighteen years shall have in his or her possession any firearm within the city limits unless he or she, at all times during the possession, (1) has on his or her person the written consent of his or her parent or legal guardian, or (2) is accompanied by his or her parent or legal guardian, or (3) is participating in and going to and from an organized, lawful recreational or competitive shooting activity or lawful hunting activity. As used in this subdivision (d), "firearm" means any firearm except (1) any pistol, revolver or firearm capable of being concealed upon the person as described in California Penal Code Section 12001, or (2) a B-B gun, pellet gun or spot-marking gun as

described in California Penal Code Section 12001.1, or (3) any other firearm the possession of which by minors is regulated by State law.

(e) This section shall not be deemed to make punishable the act of carrying or discharging a weapon in the lawful discharge of his or her duties by a public officer, or private person duly licensed therefor.

(f) This section shall not apply to the keeping of weapons at a place of business or residence by a person eighteen years of age or older lawfully in possession of the property.

(g) This section shall not apply to the keeping or use of weapons on the premises of any shooting gallery, practice range, skeet field, archery range, or similar place conducted at a fixed location and with regard to which adequate safeguards have been provided to protect persons and property from injury.

(h) This section shall not apply to an organized hunt for the purpose of ridding premises larger than one acre of vermin, when the setting of traps or poison is impractical and the Chief of Police has approved the time, place, and method of the hunt.

(i) No parent, guardian, or any adult person having the control, custody, or charge of any person under the age of eighteen years, shall knowingly permit, allow, or let said person to use or possess a weapon in violation of this section.

(j) The Chief of Police is authorized to seize and impound any weapon which is kept, possessed or used in violation of this section, or the missile thereof, and to hold the same for a period of thirty days and until thereafter

claimed by its owner. Such articles may not be returned to any person under the age of eighteen years but may be returned to his or her guardian or parent.

[(k) Without limiting the City's authority to employ any other remedy, civil or criminal, to address a violation of this Section, any person who willfully discharges a firearm in violation of this Section shall be subject to an administrative fine of \$25,000 per violation, and \$50,000 for each subsequent violation.]

[(l) The administrative fine may become a special assessment or a lien against the property of any person who is issued a citation for violation of the provisions of this Section. The procedures set forth in Section 1-506 shall be followed for the imposition of a special assessment or lien.]

[(m)] ~~(k)~~ This section shall not be deemed to make punishable an act or acts which are allowed or prohibited by any law of the State. (Orig. Ord. 4737; Am. Ord. 4934, 1956; Am. Ord. 5026, 1956; Rep. and Added Ord. 68-56, 1968; Am. Ord. 90-130, § 1, eff. 12-14-90).

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2017.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
Katie B. Doerr Date
Assistant