

ORDINANCE NO. 2007-065

Adopted by the Sacramento City Council

August 9, 2007

**AN ORDINANCE ADDING CHAPTER 5.66 TO THE SACRAMENTO CITY CODE
RELATING TO FIREARM AMMUNITION SALES LOGS**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO

SECTION 1.

Chapter 5.66 is added to the Sacramento City Code as follows:

Chapter 5.66

FIREARM AMMUNITION SALES LOGS

5.66.010 Definitions.

For the purpose of this chapter, the following words and phrases are defined as follows:

“Ammunition sales log” means the written or electronic record of a firearms ammunition sale as required under Section 5.66.020.

“Ammunition vendor” means any person, firm, corporation, dealer, or any other business enterprise that is engaged in the retail sale of any firearm ammunition; or that prepares for such conduct of business as evidenced by the securing of applicable federal, state or local licenses; or that holds itself out as engaged in the business of selling or otherwise transferring any firearm ammunition.

“Firearm” means any device, designed to be used as a weapon or modified to be used as a weapon, that expels a projectile through a barrel by the force of an explosion or other form of combustion.

“Firearm ammunition” means any cartridge or encasement containing a bullet or projectile, propellant or explosive charge, and a primer which is used in the operation of a firearm.

“Sale” means the sale, barter, transfer or any means of providing goods to a transferee, including the provision of ammunition in conjunction with any firearm sale.

5.66.020 Ammunition Sales Log Required

An ammunition vendor shall maintain an ammunition sales log which records all firearm ammunition sales as required by this chapter. The transferee shall provide, and the ammunition vendor shall record on the ammunition sales log, at the time of sale, the following information for each sale of firearms ammunition:

- (1) the name, address, and date of birth of the transferee;
- (2) the date of the sale;
- (3) the transferee's driver's license number, state identification card number, passport number, or other valid government-issued photographic identification;
- (4) the brand, type, and quantity of firearms ammunition transferred;
- (5) the identity of the person transferring the firearms ammunition on behalf of the ammunition vendor;
- (6) the transferee's signature and right thumb print.

5.66.030 Maintenance and Inspection of Ammunition Sales Log at Location of Sale

The ammunition sales log required in Section 5.66.020 shall be recorded on a form approved by the Chief of Police. In addition to the requirements of Section 5.66.040, all ammunition sales logs shall be kept at the location of the firearms ammunition sale for a period of not less than two years from the date of the sale. Ammunition sales logs shall be open to reasonable inspection by peace officers at all times the ammunition vendor is regularly open for business.

5.66.040 Electronic Transmission of Sale Record to Police Department

Within five (5) calendar days of a firearms ammunition transfer, the ammunition vendor shall electronically transmit to the Sacramento Police Department all of the information set forth in categories (1) to (5) of Section 5.66.020. The electronic transmittal shall be by a method, and in a format, approved by the Chief of Police.

5.66.050 False Information; False Recordation

No person shall knowingly provide false, inaccurate, or incomplete information to an ammunition vendor for the purpose of purchasing firearms ammunition. No ammunition vendor shall knowingly make a false, inaccurate, or incomplete entry in any ammunition sales log, nor shall any ammunition vendor refuse any reasonable inspection of an ammunition sales log subject to inspection under Section 5.66.030.

5.66.060 Grace Period

Any ammunition vendor lawfully engaging in the business of selling or otherwise transferring any firearm ammunition on the effective date of the ordinance codified in this chapter shall have a period of ninety (90) days after such effective date to comply with the provisions of this chapter.

5.66.070 Severability

This chapter shall be enforced to the full extent authorized by law. If any section, subsection, paragraph, sentence, clause, or word of this chapter is deemed invalid or beyond the authority of the city, either on its face or as applied, the remainder of this chapter shall remain in full force and effect, and to that end the provisions of this chapter shall be deemed severable.

5.66.080 Exemptions

A. The provisions of this chapter shall not apply if the firearms ammunition transferee is any person described in Section 12302 or 12322 of the Penal Code of the State of California; any off-duty peace officer who displays proper agency identification which identifies him or her as an active peace officer; any person who has been issued a permit to carry a concealed weapon under the authority of Section 12050 of the Penal Code of the State of California; or any security guard licensed under the authority of Section 12033 of the Penal Code of the State of California.

B. The provisions of this chapter shall not apply to shotgun ammunition containing projectiles (shot) of a diameter less than twenty-four hundredths of an inch (.24").

5.66.090 Violation -- Penalty

A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a five-hundred dollar (\$500.00) fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a one-thousand dollar (\$1,000.00) fine or imprisonment not to exceed six months, or both.

Violation of this chapter also constitutes grounds for revocation of a license issued under Chapter 5.64.

Adopted by the City of Sacramento City Council on August 9, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Waters.



Heather Fargo, Mayor

Attest:



Shirley Concolino, City Clerk

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