

[Deleting obsolete provisions of the Police Code requiring owners of firearms to register them with the Chief of Police.]

Ordinance Deleting Article 9 Sections 610 through 610.8 of the Municipal Police Code to Eliminate Obsolete Provisions Requiring Owners of Firearms to Register the Firearms With the Chief of Police.

Note: Additions are *italic; Times New Roman*; deletions are ~~*strikethrough italic; Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Article 9 of the San Francisco Municipal Police Code is hereby amended by deleting Sections 610-610.8 as follows:

ARTICLE 9

MISCELLANEOUS CONDUCT REGULATIONS

~~Sec. 610. — Regulating Possession of Firearms.~~

~~Sec. 610.1. — Nonresidents; Registration Procedure.~~

~~Sec. 610.2. — Application; Contents; Fees; Disposition of Fees.~~

~~Sec. 610.3. — Certificate of Ownership.~~

~~Sec. 610.4. — Regulating Transfer of Title.~~

~~Sec. 610.5. — Penalty.~~

~~Sec. 610.6. — Exemptions.~~

~~Sec. 610.7. — Information to be Confidential.~~

~~Sec. 610.8. — Severability.~~

1 ~~Sec. 610. REGULATING POSSESSION OF FIREARMS. It shall be unlawful for any person~~
2 ~~within the City and County of San Francisco to own or possess or to have under his custody or control~~
3 ~~any firearm unless said firearm is registered as provided in this Article.~~

4 ~~—— For the purposes of this Article, the term “firearm” means any weapon, by whatever~~
5 ~~name known, which is designed to expel a projectile or projectiles by the action of an explosive.~~

6 ~~SEC. 610.1. NONRESIDENTS; REGISTRATION PROCEDURE. Any person who is~~
7 ~~temporarily in the City and County of San Francisco and who brings into said City and County any~~
8 ~~firearm of a type required to be registered under this Article shall register said firearm with the Chief~~
9 ~~of Police on an appropriate form furnished by him within seven days after his arrival within said City~~
10 ~~and County.~~

11 ~~SEC. 610.2. APPLICATION; CONTENTS; FEES; DISPOSITION OF FEES. Application for~~
12 ~~the registration of a firearm of a type required to be registered under this Article shall be made by the~~
13 ~~owner thereof to the Chief of Police upon the appropriate form furnished by him and shall contain:~~

14 ~~(a) — The name and address of the owner;~~

15 ~~(b) — A description of the firearm, including the following data, insofar as they may exist: The~~
16 ~~make, model, manufacturer's number, caliber or other marks of identification of such firearm. A~~
17 ~~registration fee of \$1 shall be paid to the Chief of Police for the registration of every firearm of a type~~
18 ~~required to be registered under this Article; provided, however, that the aggregate amount of said~~
19 ~~registration fee shall not exceed \$10.~~

20 ~~—— All money collected under this Section and Sections 610.4 and 610.6 hereof shall be~~
21 ~~deposited in a special fund to be used only to defray the administrative cost incurred in registering~~
22 ~~firearms under this Article.~~

23 ~~SEC. 610.3. CERTIFICATE OF OWNERSHIP. The Chief of Police upon registering a firearm~~
24 ~~shall issue a certificate of ownership to the owner thereof. Said certificate of ownership shall contain:~~

25 ~~(a) — Not less than the information required upon the face of the registration form;~~

1 ~~—(b)—~~ *Provision for notice to the Chief of Police of a transfer of the title of the owner;*

2 ~~—(c)—~~ *Provision for application for transfer of registration by the transferee.*

3 ~~—~~ *Certificates of ownership shall remain valid until suspended, revoked, or cancelled by*
4 *the Chief of Police for cause or upon a transfer of any interest shown therein.*

5 ~~—~~ *The Chief of Police shall transmit a copy of the certificate of ownership to the State*
6 *Bureau of Criminal Identification and Investigation at Sacramento.*

7 ~~SEC. 610.4. REGULATING TRANSFER OF TITLE. It shall be unlawful for any person owning~~
8 ~~or possessing a firearm required to be registered under the provisions of this Article to sell, give or~~
9 ~~otherwise transfer title to said firearm within the City and County of San Francisco unless said person~~
10 ~~immediately notifies the Chief of Police of the said transfer, giving the date thereof, the name and~~
11 ~~address of the transferor and the transferee and such description of said firearm as may be required in~~
12 ~~the appropriate form provided for such purposes by the Chief of Police.~~

13 ~~—~~ *Upon transfer of title of a firearm required to be registered under the provisions of this*
14 *Article, the transferor shall write his signature in the appropriate spaces provided on the certificate of*
15 *ownership and deliver the same to the transferee. The transferee shall write his signature and address*
16 *in the appropriate spaces provided on the certificate of ownership and, within 10 days of the date of*
17 *said transfer, deliver the certificate to the Chief of Police and thereby make application for a transfer*
18 *of registration.*

19 ~~—~~ *The Chief of Police upon receipt of a properly endorsed certificate of ownership shall*
20 *re-register the firearm in the name of the new owner and shall issue a new certificate of ownership as*
21 *provided upon an original registration. (Added by Ord. 175-68, App. 7/2/68)*

22 ~~SEC. 610.5. PENALTY. Any person who shall violate the provisions of Sections 610, 610.1 or~~
23 ~~610.4 of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be~~
24 ~~punishable by a fine of \$500, or by imprisonment in the County Jail for a period of six months, or by~~
25 ~~both such fine and imprisonment. (Added by Ord. 175-68, App. 7/2/68)~~

1 ~~SEC. 610.6. EXEMPTIONS. The provisions of Sections 610, 610.1, 610.2, 610.3, 610.4 and~~
2 ~~610.5 hereof shall not apply to any of the following:~~

3 ~~(a) — Sheriffs, constables, marshals, policemen, members of the California Highway Patrol,~~
4 ~~and employees of the State Department of Justice listed in Section 817 of the Penal Code of the State of~~
5 ~~California who are designated as peace officers, other duly appointed peace officers, full time paid~~
6 ~~peace officers of other municipalities, counties, states or the federal government; provided, however,~~
7 ~~that this exemption shall apply only to such firearms held by such persons in connection with carrying~~
8 ~~out of official duties in the City and County of San Francisco.~~

9 ~~(b) — Persons engaged in the business of selling firearms with respect to such firearms as are~~
10 ~~being held for sale in the regular course of business.~~

11 ~~(c) — Members of the Army, Navy, or Marine Corps of the United States, or the National~~
12 ~~Guard, or organizations which are by law authorized to purchase or receive firearms from the United~~
13 ~~States or the State of California with respect to such firearms held by such members in connection with~~
14 ~~the carrying out of official duties as members of such organizations.~~

15 ~~(d) — Bona fide collectors of antique or historical firearms with respect to such firearms as~~
16 ~~are a part of said collection; provided, however, that said collectors shall file, with the Chief of Police~~
17 ~~on an appropriate form furnished by him, an inventory of all firearms in said collection containing not~~
18 ~~less than the information set forth in Section 610.1 hereof and pay a registration fee in the amount of~~
19 ~~\$1 for each firearm or an aggregate amount of \$10, whichever is less. Any change by way of addition~~
20 ~~to or deletion from said inventory shall be reported immediately to the Chief of Police.~~

21 ~~SEC. 610.7. INFORMATION TO BE CONFIDENTIAL. All information required in the~~
22 ~~provisions of Sections 610.2 and 610.3 hereof shall be deemed confidential and available only to the~~
23 ~~San Francisco Police Department and other appropriate law enforcement agencies in the proper~~
24 ~~exercise of their duties.~~

1 ~~SEC. 610.8. SEVERABILITY. If any part or provision of Sections 610 through 610.7 hereof, or~~
2 ~~the application thereof to any person or circumstances is held invalid, the remainder of said Sections,~~
3 ~~including the application of such part or provision to other persons or circumstances shall not be~~
4 ~~affected thereby and shall continue in full force and effect. To this end the provisions of said Sections~~
5 ~~are severable.~~

6
7 APPROVED AS TO FORM:

8 LOUISE H. RENNE, City Attorney

9
10
11 By: 

12 Margaret W. Baumgartner
13 Deputy City Attorney



City and County of San Francisco

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Tails Ordinance

File Number: 001924

Date Passed:

Ordinance deleting Article 9 Sections 610 through 610.8 of the Municipal Police Code to eliminate obsolete provisions requiring owners of firearms to register with the Chief of Police.

December 11, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

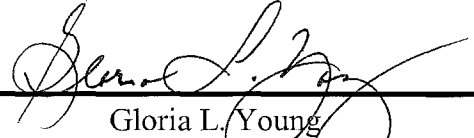
December 18, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Katz, Teng

File No. 001924

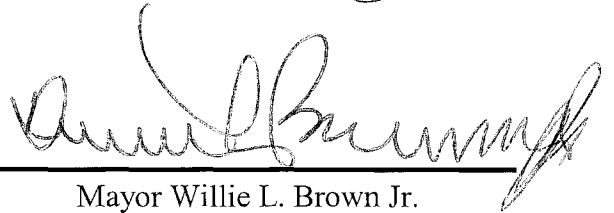
I hereby certify that the foregoing Ordinance was FINALLY PASSED on December 18, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

DEC 28 2000

Date Approved



Mayor Willie L. Brown Jr.