



OFFICE OF THE CITY ATTORNEY

ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. R 0 7 - 0 2 7 5
JUL 2 5 2007

REPORT RE:

**REVISED DRAFT ORDINANCE ESTABLISHING THE PROPER METHODS
OF DISPOSING OF FIREARMS AND AMMUNITION AND PROHIBITING
THE IMPROPER DISPOSAL OF FIREARMS AND AMMUNITION IN
THE CITY OF LOS ANGELES**

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. ~~07-0461~~ *06-1185*

Honorable Members:

On July 11, 2007, this office transmitted a draft ordinance that would add Section 52.12.1 to the Los Angeles Municipal Code to establish the proper methods of disposing of firearms and ammunition in the City of Los Angeles and to prohibit the improper disposal of these items. In accordance with Council Rule 38, the Los Angeles Police Department submitted comments to this office concerning the draft ordinance. Based upon those comments, this office has prepared and now submits the attached revised draft ordinance for your consideration, approved as to form and legality.

~~If you have any questions, please contact Heather Aubry at 213.978.8393. She~~
or another member of this office will be available when you consider this matter to answer any questions you may have.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By *Claudia Culling*
CLAUDIA CULLING
Special Counsel - Municipal

CC:HA:pg
Transmittal

M:\Government Counsel\REPORTS\Firearm Disposal Ordinance Council Report. Revised.doc



ORDINANCE NO. _____

An ordinance to establish the proper methods of disposing of firearms and ammunition and to prohibit the improper disposal of firearms and ammunition in the City of Los Angeles.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 52.12.1 is added to the Los Angeles Municipal Code to read:

(a) Definitions.

1. "Firearm," as used in this section, means any pistol, rifle, shotgun or other device designed to be used as a weapon, from which is expelled through a barrel by the force of an explosion or any other form of combustion, or any device that is capable of being altered so as to expel a projectile in that manner.

2. "Ammunition," as used in this section, means any bullet, cartridge, magazine, clip, speed loader, autoloader, or projectile capable of being fired from a firearm.

(b) Disposal of a firearm and/or ammunition in the City of Los Angeles shall only be accomplished in either of the following two ways:

1. By selling, giving away or otherwise transferring the firearm and/or ammunition in accordance with all applicable provisions of the California Penal Code, Welfare and Institutions Code, and this Code; or

2. By surrendering the firearm and/or ammunition to the Los Angeles Police Department, or other law enforcement agency.

(c) Any person in the City of Los Angeles who disposes of a firearm and/or ammunition in any manner other than as required by this section, including, but not limited to, by depositing those item(s) in a public trash receptacle or leaving in any public place, is guilty of a misdemeanor.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

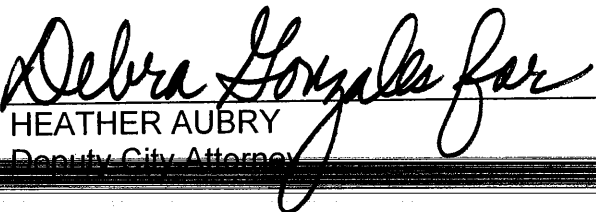
By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
HEATHER AUBRY
Deputy City Attorney

Date _____

File No. _____