

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE ADDING CHAPTER 7.91 TO  
THE SANTA CRUZ COUNTY CODE RELATING  
TO TRIGGER LOCKS AND OTHER SAFETY DEVICES**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

Chapter 7.91 is hereby added to the Santa Cruz County Code to read as follows:

**CHAPTER 7.91**

**TRIGGER LOCKS AND OTHER SAFETY DEVICES**

**Sections:**

- 7.91.010 Findings.**
- 7.91.020 Requirements.**
- 7.91.030 Penalties**
- 7.91.040 Effective period.**

**7.91.010 Findings.**

A. In the years 1987 to 1996, nearly 2,200 children in the United States under the age of 15 years died in unintentional shootings. In 1996 alone, 138 children were shot and killed unintentionally. Thus, more than 11 children every month, or one child every three days were shot or killed unintentionally in firearms-related incidents.

B. The United States leads the industrialized world in the rates of children and youth lost to unintentional, firearms-related deaths. A 1997 study from the federal Centers for Disease Control and Prevention reveals that for unintentional firearms-related deaths for children under the age of 15, the rate in the United States was nine times higher than in 25 other industrialized countries combined.

C. While the number of unintentional deaths from firearms is an unacceptable toll on America's children, nearly eight times that number are treated in U.S. hospital

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emergency rooms each year for nonfatal unintentional gunshot wounds.

D. A study of unintentional firearm deaths among children in California found that unintentional gunshot wounds most often involved handguns.

E. A recent study (Naureckas, et al., *Children and Women's Ability to Fire Handguns*, - 149 Arch. Pediatric Adolescent Medicine 13 18 (1995)) found that children as young as three years old are strong enough to fire most commercially available handguns. The study revealed that 25 percent of three to four year olds and 70 percent of five to six year olds had sufficient finger strength to fire 59 (92 percent) of the 64 commonly available handguns referenced in the study.

F. The Government Accounting Office (GAO), in its March 1991 study, "Accidental Shootings: Many Deaths and Injuries Caused by Firearms Could be Prevented," estimates that 31 percent of accidental deaths caused by firearms might be prevented by the addition of two safety devices: a child-resistant safety device that automatically engages and a device that indicates whether the gun is loaded. According to the study results, of the 107 unintentional firearms-related fatalities the GAO examined for the calendar years 1988 and 1989, eight percent could have been prevented had the firearm been equipped with a child-resistant safety device. This eight percent represents instances in which children under the age of six unintentionally shot and killed themselves or other persons.

G. In 1994, the Bureau of Alcohol, Tobacco and Firearms reported that there were more than 222 million firearms in private possession in the United States.

#### **7.91.020 Requirements.**

A. No person licensed pursuant to Section 12071 of the Penal Code shall sell, give, lend, or transfer ownership of any firearm, capable of being concealed upon a person, without first equipping the firearm with a trigger lock, locking hard case, locking gun cabinet, safe, or such other device that is designed to prevent the unintentional discharge of the firearm.

B. No person licensed pursuant to Section 12071 of the Penal Code, shall sell, give, lend, or transfer ownership of any firearm, capable of being concealed upon a person, without providing to the person to whom the firearm is transferred printed material that advises the user on safe storage practices.

**7.91.030 Penalty.**

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this chapter shall be punishable as provided in section 1.12.030 of this code. The remedies and penalties provided for in this chapter shall be in addition to any other available remedies and penalties provided for by this code or other law.

**7.91.040 Effective period.**

The provisions of this chapter shall become null and void on January 1, 2002.

**SECTION II**

This ordinance shall take effect on the 3 1st day after the date of final passage.

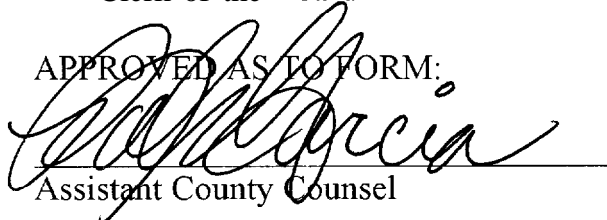
PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2000, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS  
 NOES: SUPERVISORS  
 ABSENT: SUPERVISORS  
 ABSTAIN: SUPERVISORS

\_\_\_\_\_  
 Chairperson of the  
 Board of Supervisors

Attest: \_\_\_\_\_  
 Clerk of the Board

APPROVED AS TO FORM:

  
 Assistant County Counsel