

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING THE SANTA BARBARA  
MUNICIPAL CODE BY ADDING CHAPTER 9.35  
REGARDING SAFE STORAGE OF FIREARMS

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS  
FOLLOWS:

SECTION 1. Title 9 of the Santa Barbara Municipal Code is amended by adding  
Chapter 9.35 which reads as follows:

**9.35.010 Purpose and Intent.**

Gun violence, mass shootings, and firearm related injuries among young people  
have been rising in the United States. Studies suggest that more than half of Americans  
have experienced gun violence or know someone close to them who has experienced  
gun violence. Santa Barbara is no different. In 2023, Santa Barbara Unified School  
District reported an increased number of weapon related incidents on school campuses.  
Unsecured firearms at home have been shown to be correlated with a higher risk of both  
unintentional and intentional injury by firearm, especially among youth. Safely storing  
firearms in residences and vehicles will protect children and teens from accessing  
weapons and prevent injuries at home as well as protect public health and safety.

Recent growth of gun violence in the U.S. has disproportionately affected youth.  
In 2023, the Santa Barbara Youth Council named gun violence one of its top issues for  
youth. After hearing young people’s concerns about gun violence in the community and  
at school at the Santa Barbara Youth Council: *Youth Speak Out*, the Youth Council voted

to move forward with drafting a safe storage of firearms ordinance and proposing it to the Santa Barbara City Council.

This Chapter is adopted by City Council upon recommendation of the Santa Barbara Youth Council to further the following:

A. The protection of public health, safety, and general welfare.

B. A reduction in the risk of self-inflicted firearm related injuries and unintentional firearm related injuries among children and teens.

**9.35.020 Definitions.**

The following definitions apply to the interpretation of this Chapter:

A. FIREARM. A firearm as defined in California Penal Code Section [16520](#), as amended from time to time.

B. LOCKED CONTAINER. A locked container that is either: (1) a locked container, as defined in California Penal Code, Section 16850, and listed on the California Department of Justice Bureau of Firearms' roster of approved firearm safety devices; or (2) approved in writing by the California Department of Justice Bureau of Firearms as having the equivalent effect to other approved devices. For purposes of this Chapter, a locked container does not include a bag or other container made of fabric or other penetrable material, such as a regular purse, backpack, or gym bag.

C. RESIDENCE. Any structure intended or used for human habitation, including but not limited to, houses, condominiums, apartments, rooms, accessory dwelling units, motels, hotels, vacation rentals, recreational vehicles, and other vehicles where human habitation occurs. "Residence" also includes the curtilage of the residence.

D. TRIGGER LOCK. A trigger lock that is either:

1. Listed on the California Department of Justice Bureau of Firearms' roster of approved firearms safety devices and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device under Penal Code Section 23635.

2. Approved in writing by the California Department of Justice Bureau of Firearms as having equivalent effect to other approved devices and is the appropriate make and model for the firearm the lock will be used on.

E. TRUNK. A fully enclosed compartment that is separate from the main cabin of the vehicle.

F. UNATTENDED VEHICLE. A vehicle that has no person aged 18 or over present in the vehicle.

G. VEHICLE. As defined by California Vehicle Code Section 415, any device that can propel, move, draw people or property on a highway.

**9.35.030 Safe Storage of Firearms in a Residence.**

It is unlawful for a person to keep a firearm in any residence unless the firearm is stored in a locked container and is disabled with a trigger lock, except:

1. When the firearm is carried upon the person who owns the firearm.

2. When cleaning or maintaining the firearm.

3. When using the firearm for lawful self-defense.

**9.35.040 Safe Storage of Firearms in a Vehicle.**

A. It is unlawful for a person to leave a firearm in an unattended vehicle unless the firearm is stored:

1. In a locked container in the trunk of the vehicle, disabled by a trigger lock.

2. For vehicles with no trunk, in a locked container permanently affixed to the vehicle and out of sight from the public.

B. It is unlawful for a person to leave a firearm in an unattended vehicle overnight.

C. This Section is not intended to conflict with any applicable state or federal law.

D. This Section is intended to apply to all vehicles within the City of Santa Barbara. However, nothing in this Section shall apply to on-duty peace officers or to federal officers or military personnel who are acting within the scope of their authority and discharging their official duties.

**9.35.050 Reporting Theft or Loss to the Santa Barbara Police Department.**

Nothing in this ordinance affects a person's obligations under California Penal Code Section 25250 to report that a firearm has been lost or stolen to local authorities

within 5 days at the time they knew or reasonably should have known that the firearm had been lost or stolen.

**9.35.060 Penalty.**

Any person who violates any mandatory provision of this Chapter shall be guilty of an offense punishable in accordance with Chapter 1.28 of this Code.