
CHAPTER 21H:

PROCUREMENT OF FIREARMS AND AMMUNITION

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SEC. 21H.1. PURPOSE.

The purpose of this Chapter 21H is to ensure that the City procures firearms and ammunition only from suppliers that adhere to public safety policies regarding firearms; comply with all applicable federal, state, and local laws and regulations; and have valid federal firearms licenses, and valid state and local licenses, permits, and certifications required by their jurisdictions in order to deal in firearms, including but not limited to, for California suppliers, valid State Board of Equalization seller's permit(s), and a Certificate of Eligibility pursuant to Section 26710 of the California Penal Code.

■ (Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)

SEC. 21H.2. SCOPE OF CHAPTER.

This Chapter 21H applies to the City's procurement of firearms and ammunition. Unless expressly stated otherwise in this Chapter, all of the requirements of Chapter Chapter 21, as well as any other applicable Charter or Municipal Code requirement, apply to firearms and ammunition contracts procured under the authority of this Chapter.

■ (Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)

SEC. 21H.3. DEFINITIONS.

- (a) As used in this Chapter 21H, except as specified herein, all terms shall have the same meanings as in Chapter 21.
- (b) For purposes of this Chapter 21H, the following terms are defined as follows:

“Ammunition” has the meaning set forth in California Penal Code Section 16650, as may be amended from time to time.

“Firearm” has the meaning set forth in California Penal Code Section 16520, subsections (a), (b) and (c), as may be amended from time to time.

“Purchase” means procurement of firearms and/or ammunition by the¹ City, the cost of which is to be paid wholly or partially out of moneys deposited in the Treasury of the City.

“Supplier” means an entity that sells firearms and/or ammunition directly to the City.

(Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)

- 1. So in Ord. [104-24](#).

SEC. 21H.4. MINIMUM QUALIFICATIONS.

In order for a Supplier to be awarded a contract, the Purchaser must determine that the Supplier meets the following minimum qualification requirements:

(a) Compliance with all federal, state, and local laws and regulations applicable to retail dealers and manufacturers of firearms and ammunition; possession of valid federal, state and local firearms licenses, permits, and certifications required by all applicable jurisdictions in order to deal in firearms, including but not limited to, for California Suppliers, valid State Board of Equalization seller's permit(s) and a Certificate of Eligibility pursuant to Section 26710 of the California Penal Code.

(b) Public safety policies that serve the following purposes:

(1) Prevention, detection, and screening for the transfer of firearms or ammunition to straw buyers or firearm traffickers.

(2) Prevention of sales to prohibited individuals and persons too dangerous to possess firearms.

(3) Protection against the theft of firearms and ammunition.

(4) Employee training designed to ensure maximum compliance with the law.

(5) Assistance to law enforcement in the investigation and prevention of criminal access to guns.

(c) No unresolved ATF violations within the last five years;

(d) An average of no more than five trace requests from the ATF per year over the prior five years; and

(e) Five or fewer thefts of firearms and/or ammunition from its facilities over the prior five years.

- (Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)

SEC. 21H.5. IMPLEMENTATION.

The Purchaser or their designee shall administer this Chapter 21H. The Purchaser is authorized to issue guidance to implement this Chapter 21H, in consultation with the Police Department, Sheriff's Department, and other City departments as the Purchaser deems necessary.

- (Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)

SEC. 21H.6. EXCEPTIONS.

The requirements of Section 21H.4 shall not apply in the following circumstances:

(a) The City is procuring firearms or ammunition under Administrative Code Section 21.15.

(b) Through June 24, 2025, the City may purchase firearms or ammunition from a Supplier from whom it previously purchased such goods within the 24 months prior to June 24, 2024.

- (Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024; amended by Ord. [275-24](#), File No. 241039, App. 12/11/2024, Eff. 1/11/2025)

SEC. 21H.7. WAIVERS.

The requirements of this Chapter 21H shall not be in effect as to a particular procurement when the Purchaser makes any of the following determinations in writing:

- (a) The Purchaser determines that a sole source waiver is appropriate under Section 21.5.
- (b) No Supplier meets the minimum qualifications set forth in Section 21H.4.

(Added by Ord. [104-24](#), File No. 240175, App. 5/24/2024, Eff. 6/24/2024)