

ORDINANCE NO. 1556

**AN ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS REGARDING
THE SAFE STORAGE OF NON-HANDGUN FIREARMS IN UNATTENDED
VEHICLES**

The Board of Supervisors of the County of Yolo, hereby ordains as follows:

SECTION 1. PURPOSE AND FINDINGS

The purpose of this Ordinance is to provide reasonable regulations for the storage of non-handgun firearms within unattended vehicles in the unincorporated areas of Yolo County.

According to the United States Centers for Disease Control and Prevention, there were 45,222 firearm-related deaths in the United States in 2020. More than half of firearm-related deaths were suicides, and nearly eight in ten (79%) U.S. murders in 2020 involved a firearm. Gun theft is a significant contributor to the illegal gun market. The United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) estimates approximately 10% to 15% of stolen guns are used in subsequent crimes.

According to research by Everytown for Gun Safety, thefts from vehicles is the largest source of stolen guns in the United States. In 2020, over half of gun thefts were from vehicles. State law regulates the safe storage of handguns in unattended vehicles by requiring the use of a locked container out of plain view. (*See* Penal Code § 25140.) However, there is no similar provision for non-handgun firearms, including rifles and shotguns. This ordinance is intended to fill that gap to ensure for the safe storage of non-handgun firearms in unattended vehicles.

SECTION 2. AMENDMENT OF SECTION 5-10.06

Section 5-10.06 of Title 5 (Public Welfare, Morals, and Conduct), Chapter 10 (Weapons) is hereby amended as follows:

Sec. 5-10-06. Safe Storage of Firearms.

- a) *Definitions.* For purposes of this section, the following words and phrases shall be defined as follows:
 - (1) “Close proximity and control” means within close reach of a person so that they can gain control of the weapon before a child or unauthorized person could access the weapon.
 - (2) “Firearm” means a firearm as defined in California Penal Code Section 16520, as amended from time to time.
 - (3) “Locked container” means a locked container as defined in California Penal Code Section 16850, as amended from time to time, and is listed on the California

Department of Justice Bureau of Firearms roster of approved firearm safety devices.

(4) “Residence” means any structure intended or used for human habitation, including but not limited to houses, apartments, condominiums, rooms, in-law units, accessory dwelling units, motels, hotels, single room occupancy units (SROs), timeshares, mobile homes, and recreational and other vehicles where human habitation occurs.

(5) “Tethered” means attaching a firearm to a permanent structure in the interior or trunk of a vehicle with a cable lock or similar mechanism in order to ensure that the firearm cannot easily be removed.

~~(5)~~(6) “Trigger lock” means a trigger lock that is listed on the California Department of Justice’s 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 California Penal Code Section 23635.

(7) “Vehicle” means a vehicle as defined in California Vehicle Code Section 415, as amended from time to time.

(8) “Unattended vehicle” means that a person aged eighteen (18) or over who owns or is authorized to use the vehicle is not present in or within sight of the vehicle.

b) *Safe storage in residences.* No person shall keep a firearm in any residence unless the firearm is stored in a locked container or the firearm is equipped with a trigger lock.

c) *Safe storage in vehicles.*

(1) No person shall leave a firearm, not including handguns, in an unattended vehicle unless: (a) the firearm is stored in a locked container that is either in the locked trunk of the vehicle or affixed or secured to the interior of the vehicle; or (b) the firearm is tethered to a permanent structure in the interior or trunk of the vehicle with a cable lock or similar mechanism.

i. If not stored in a locked trunk of the vehicle, the locked container or tethered non-handgun firearm must be underneath a seat or covered or otherwise outside of plain view from the outside of the vehicle.

ii. For vehicles with fewer than four (4) wheels, the non-handgun firearm must be stored in a locked container that is affixed or secured to the vehicle.

(2) Notwithstanding subsection (c)(1), no person may place, store, or leave a firearm, not including handguns, overnight in an unattended vehicle.

- (3) This subsection is not intended to conflict with state law on the storage of handguns in vehicles, as governed by Penal Code Section 25140.
- (4) Nothing in this subsection shall apply to on-duty peace officers, police vehicles, federal officers, or military personnel who are acting within the scope of their authority and discharging their official duties.

e) d) *Exception.* The storage requirements in this Section shall not apply when the firearm is carried on the person of an individual not prohibited from the ownership or possession of a firearm or when the firearm is in the close proximity and control of such a person.

SECTION 3. SEVERABILITY

If any section, sub-section, sentence, clause, or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect and be in force within 30 days of enactment. Prior to expiration of fifteen (15) days after its passage of this Ordinance, it shall be published by title and summary only in the Davis Enterprise or other newspaper of general circulation together with the names of members of the Board of Supervisors voting for and against the same.

//
//

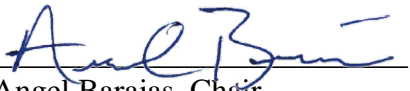
I HEREBY CERTIFY that the foregoing Ordinance was introduced before the Board of Supervisors of the County of Yolo and, at a further public hearing, said Board adopted this Ordinance on the 22nd day of November, 2022, by the following vote:

AYES: Villegas, Saylor, Sandy, Provenza, Barajas.



NOES: None.

ABSENT: None.

ABSTAIN: None.


Angel Barajas, Chair
Yolo County Board of Supervisors

ATTEST: Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

By 
Deputy  (Seal)

APPROVED AS TO FORM:
Philip J. Pogledich, County Counsel

By 
Philip J. Pogledich