

Introduced by _____

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 9.78 TO TITLE 9 OF THE PASADENA MUNICIPAL CODE ENTITLED "UNSERIALIZED FIREARMS"

WHEREAS, Assembly Bill 1621 (Firearms; Unserialized Firearms) ("AB 1621") was approved by the Governor on June 30, 2022;

WHEREAS, AB 1621 creates a new statutory scheme in State law that generally prohibits the sale, possession, import, and transfer of firearms and firearm precursor parts that do not have a valid state or federal serial number or mark of identification;

WHEREAS, until January 1, 2024, AB 1621 provides an exception to the prohibition on possessing an unserialized firearm, if there is a pending application for a serial number for the firearm; and

WHEREAS, the City Council for the City of Pasadena desires to immediately prohibit the possession of unserialized firearms, regardless of whether there is a pending application for a serial number or mark of identification.

NOW, THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 9 (Public Peace, Morals, and Welfare), is amended to add a new Chapter 9.78 as follows:

"Chapter 9.78 Unserialized Firearms"

Sections

- 9.78.010 - Definitions**
- 9.78.020 - Unserialized firearm possession prohibited**
- 9.78.030 - Violation – Penalty**
- 9.78.040 - Expiration**

9.78.010 - Definitions

The definitions of terms set forth in California Assembly Bill 1621 (Firearms; Unserialized Firearms) are adopted in their entirety.

9.78.020 – Unserialized firearm possession prohibited

Except as provided in Penal Code Section 23925 (excluding subdivision (b)(5)), any person who knowingly possesses any firearm that does not have a valid state or federal serial number or mark of identification is guilty of a misdemeanor. Any exceptions to this prohibition on the grounds of a pending application for a serial number or mark of identification, including, but not limited to, Penal Code Sections 23925(b)(5) and 29180(c), shall not apply.

9.78.030 – Violation – Penalty

Any person who willfully violates any provision of this chapter and is convicted of a misdemeanor shall be punished by a fine of not more than \$1,000, or by imprisonment in the county jail not to exceed six months, or by both.

9.78.040 – Expiration

This chapter shall remain in effect until January 1, 2024, and as of that date is repealed.”

SECTION 2. The City Council hereby declares that, should any section, subsection paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be unconstitutional or invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

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SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text

SECTION 4. This ordinance shall take effect 30 days from publication.

Signed and approved this _____ day of _____, 2022.

Victor M. Gordo
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Javan N. Rad
Chief Assistant City Attorney