



Town of Yountville

6550 Yount Street
Yountville, CA 94599

Staff Report

Agenda Item #: {{section.number}}A

Yountville Town Council Staff Report

DATE: October 18, 2022

TO: Mayor and Town Council

FROM: Steve Rogers, Town Manager

PREPARED BY: Steve Rogers, Town Manager

SUBJECT:

Consideration of Introduction and Waiving of First Reading of Ordinance 22-515 Adopting a Safe Firearm Storage Ordinance.

DISCUSSION/BACKGROUND

At its last Council meeting, Mayor Dunbar shared that residents had approached him asking if the Town might consider implementing a "Safe Firearm Storage" Ordinance similar to what the City of St. Helena recently adopted. The Town Council provided staff with consensus direction to bring back this item for council action at a future meeting.

Research shows that one small child dies almost every day in this country after finding an unsecured firearm in their own home or in a relative's home or while playing at a friend's house. Two older children, particularly teens, die every day in this country by suicide from an unsecured firearm they obtain from their home or another family member's home. In addition, 80% of school mass shootings are done by current or former students, using an unsecured firearm obtained from their own home or a relative's home. A Safe Storage ordinance has become more urgent than ever during COVID, given the dramatic rise in gun sales. Combined with more time spent sheltering at home and the increase in mental health issues, we have seen a shocking 43% increase in unintentional deaths of small children and a 9% increase in teen suicides. Research shows that keeping guns securely stored does not hinder self-protection - a gun can be accessed within seconds - but it does prevent unintentional deaths of children and teen suicides, by as much as 85% depending on the type of storage. Storing firearms in a securely locked container can also prevent guns from being easily stolen in a home robbery. A Department of Justice (DOJ) approved safe storage device can be obtained for as little as \$40 so the cost is not prohibitive, and trigger locks are often given out free at police stations. Some people are under the impression that the California Penal Code (25100) already addresses this issue; however, it does not. This section of the Penal Code does not define how to safely store a firearm and it does not apply to all homes. For example, parents often hide their guns (feeling this makes them safe) rather than locking them up, but studies show 70% of children know the location of these hidden guns in their own home and many have even handled them. Many cities and towns up and down California have already adopted Safe Storage ordinances including nearby St. Helena in August of 2022.

The Town of Yountville does not presently regulate gun storage within residential locations and improperly stored firearms may result in accidental firearm injuries and/or deaths, particularly in homes with children. Additionally, having a loaded or unlocked firearm in the home has been associated with an increased risk of firearm-related injury and death, as well as theft of the firearm. Keeping a firearm locked when it is not being carried ensures

that it cannot be accessed or used by others without the owner's knowledge or permission, decreasing the risk that the gun will be used to commit suicide, homicide, or inflict injury, whether intentionally or unintentionally. Both the International Association of Chiefs of Police and the American Academy of Pediatrics recommend the safe storage of firearms. When considering the penalty for violating the Safe Storage Ordinance, the Town of Yountville and Napa County Sheriff Department supports a civil penalty, rather than a criminal penalty which is reflected in the attached ordinance. Cities and towns early on in the process of adopting safe storage ordinances did often adopt a criminal penalty – that is, a misdemeanor; however, more recently cities and towns have adopted a civil only penalty. Because of the inherent risks of not keeping a firearm locked, staff recommends the Town Council adopt an ordinance adding sections to the Municipal Code regarding safe firearm storage as outlined in the attached Ordinance. Napa County Sheriff Oscar Ortiz also supports this effort.

ENVIRONMENTAL REVIEW

Not Applicable

FISCAL IMPACT

Is there a Fiscal Impact? No

Is it Currently Budgeted? N/A

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? Discretionary

Is there a Staff Resource Impact? No

STRATEGIC PLAN GOAL

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective. **Engaged Residents:** The Town embraces our residents' commitment to community as seen through volunteerism, civic engagement, and public participation that enhances the quality of life in Yountville.

Briefly Explain Relationship to Strategic Plan Goal and Objective. Town Council is responding to requested public policy change requested by members of the community to help promote a safer Yountville and prevent potential gun safety incidents.

RECOMMENDATION

Receive staff report and direct questions to staff.

Receive public comment.

Introduce and Waive the Reading of Ordinance Number 22-515 Adopting a Safe Firearm Storage Ordinance