

NOTICE AND DIGEST

ORDINANCE AMENDING CHAPTER 9.36 “WEAPONS” TO REQUIRE PRIVATELY MADE FIREARMS, COMMONLY REFERRED TO AS “GHOST GUNS,” TO COMPLY WITH STATE LAW, PROHIBIT NONEXEMPT PERSONS FROM POSSESSING, SELLING, OFFERING FOR SALE, TRANSFERRING, PURCHASING, TRANSPORTING, RECEIVING OR MANUFACTURING AN UNFINISHED FIREARM FRAME OR RECEIVER THAT HAS NOT BEEN IMPRINTED WITH A SERIAL NUMBER AND PROHIBITING NONEXEMPT PERSONS FROM POSSESSING, MANUFACTURING OR ASSEMBLING A PRIVATELY MADE FIREARM THAT HAS NOT BEEN IMPRINTED WITH A SERIAL NUMBER

This Ordinance will amend Chapter 9.36 of the City’s Municipal Code entitled “Weapons” to require privately made firearms, commonly referred to as “Ghost Guns,” to comply with state law, prohibit nonexempt persons from possessing, selling, offering for sale, transferring, purchasing, transporting, receiving or manufacturing an unfinished firearm frame or receiver that has not been imprinted with a serial number. This Ordinance further prohibits nonexempt persons from possessing, manufacturing or assembling a privately made firearm that has not been imprinted with a serial number.

A violation of this Ordinance allows for prosecution both civilly and criminally. The civil penalties start at one thousand dollars (\$1,000) for the first violation, two thousand five hundred dollars (\$2,500.00) for the second violation, and five thousand dollars (\$5,000.00) for the third violation and for each subsequent violation committed within a calendar year. A criminal violation may result in a misdemeanor conviction of not more than 6 months in jail or one thousand dollars (\$1,000).

All pre-owned unserialized and unfinished firearm frames, receivers or privately manufactured firearms can be turned into the Oakland Police Department within the first 90 days after passage of this Ordinance.