

# ASSOCIATION OF BAY AREA GOVERNMENTS

---

Representing City and County Governments of the San Francisco Bay Area



July 30, 1996

Councilmember Margie Fernandes  
City of San Jose  
City Hall  
801 N. First Street, Room 600  
San Jose, CA 95110

Dear Councilmember Fernandes:

On July 18, the ABAG Executive Board received a report from Shirley Dean, Mayor of Berkeley and Chair of the East Bay Public Safety Corridor Partnership, on the important progress cities and counties along the I-80/I-880 corridor in the East Bay are making toward the adoption of critical restrictions on hand guns.

To date, 15 cities in the East Bay are working to adopt ordinances banning junk guns, 14 cities have prohibited gun dealers from operating out of homes in residential areas, five cities have passed ordinances requiring trigger locks at point of sale and two cities have adopted gross receipts tax on all items sold by gun dealers. In addition, City Attorneys have suggested the creation of a joint legal defense fund to assist any jurisdiction facing a legal challenge to an ordinance.

The Executive Board was both impressed and appreciative of the model effort underway in the East Bay and encouraged to hear that other groups of local governments had contacted the East Bay cities to request information on their process and progress to date. After a full discussion of the importance of unified action, the Executive Board voted to issue a resolution (see the enclosed) urging local governments throughout the Bay Area to adopt ordinances to: 1) ban the sale of junk guns; 2) zone gun dealers out of residential areas; and 3) require gun dealers to install trigger locks at the point of sale.

More importantly, the Executive Board asked that local governments work together to craft ordinances and enforcement procedures that are consistent, enforceable, constitutional, and capable of withstanding legal challenge. For information on ordinances and other information, see ABAG's Junk Gun Homepage (<http://www.abag.ca.gov/bayarea/junkguns/guncont.htm>).

We hope to hear soon that your jurisdiction has passed its own ordinance addressing one or more of these critical issues. To assist us in monitoring and sharing such information with other agencies, please send us copies of any action you take in this area. If you have questions or would like to update ABAG on your own progress in this area, please call Patty Spangler, ABAG, at (510) 464-7933.

Sincerely,

Charlotte Powers, ABAG President  
Councilmember, City of San Jose

enc.



**Resolution 11-96**

**ASSOCIATION OF BAY AREA GOVERNMENTS  
EXECUTIVE BOARD**

**RESOLUTION SUPPORTING THE BAN OF "SATURDAY NIGHT SPECIALS"**

**WHEREAS**, "Saturday Night Specials", or junk guns, are cheap, easily-concealed, and poorly-manufactured weapons that are disproportionately represented in homicides and other crimes and lack any sporting purpose;

**WHEREAS**, junk guns are so inadequately designed and constructed that their use, particularly with higher-power ammunition now readily-available, represents a danger to the criminal or other user;

**WHEREAS**, crime statistics indicate that a high proportion of gun-related deaths and injuries are attributable to both the availability of weapons in residential areas and the lack of trigger locks which could forestall the firing of a weapon;

**WHEREAS**, many local governments in the Bay Area are considering or have already adopted ordinances or regulations prohibiting the sale of junk guns, zoning gun shops out of residential areas, and requiring gun dealers to install trigger locks at the point of sale;

**WHEREAS**, crime respects no urban boundaries and the availability of weapons in one jurisdiction may easily be used in a neighboring or distant community;

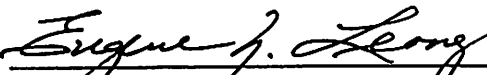
**NOW, THEREFORE, BE IT RESOLVED** that the Executive Board of the Association of Bay Area Governments supports the adoption of local government ordinances to prohibit the sale of junk guns, to zone gun dealers out of residential areas, and to require gun dealers to install trigger locks at the point of sale.

**BE IT FURTHER RESOLVED** that the Executive Board urges all Bay Area local governments to guarantee the effectiveness of these ordinances by working in close consultation with neighboring jurisdictions to develop consistent and uniform ordinance provisions and enforcement procedures.

**PASSED AND ADOPTED** this 18th day of July, 1996.

**SIGNED:**

  
Charlotte Powers, President

  
Eugene Y. Leong, Secretary-Treasurer