

CITY OF HAWAIIAN GARDENS

ORDINANCE NO. 343

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS AMENDING CHAPTER 9.60 BY ADDING SECTION 9.60.050 PROHIBITING THE SALE AND POSSESSION OF ASSAULT WEAPONS.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 9.60 is hereby amended by adding Section 9.60.050, to read as follows:

SECTION 9.60.050. ASSAULT WEAPONS - SALE OR POSSESSION PROHIBITED:

(a) Subject to Subsection (c), the term "assault weapon," as used in this Section, shall include:

1. Any semiautomatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of twenty rounds or more, including but not limited to the following firearms or their copies: AR 15 semiautomatic assault rifles, Uzi semiautomatic assault rifles or carbines, Ingram Mac-10 semiautomatic assault carbines, Ingram Mac-11 semiautomatic assault carbines, Heckler and Koch 93 semiautomatic assault rifles, Heckler and Koch 91 semiautomatic assault rifles, Ak-47 semiautomatic assault rifles, AKM-47 semiautomatic assault rifles, all Avtomat Kalashnikov weapons, M1-A semiautomatic assault rifles, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;

2. Any shotguns with a barrel of less than 18 inches and a folding stock or magazine capacity of more than six rounds;

3. Any weapon which may be readily

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restored to an operable assault weapon, as defined above in 1 and 2; and

4. Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined above in 1 and 2, or any combination of parts from which an assault weapon may be readily assembled, if those parts are in the possession or under the control of the same person.

(b) As used in this Section, the term "semiautomatic" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

(c) The term "assault weapon" does not include any of the following:

1. Any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by Section 12200 of the Penal Code of the State of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the State of California;

2. Any of the following: Weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single-shot weapons, multiple-barrel weapons, revolving cylinder weapons, semiautomatic weapons which use exclusively Mannlicher-style clips, semi-automatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;

3. Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of Subsection (b) of Section 12020 of the Penal Code of the State of California;

4. Any short-barreled rifle or shotgun as defined in Subsection (c) of Penal Code Section 12020; or

5. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(d) Except as specified in Subsections (e), (f), and (g), no person, including wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.

(e) Nothing in this Section shall prohibit the acquisition, possession, or disposition by police departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or of the United States for use in the discharge of their official duties; nor shall anything in this Section prohibit the possession of assault weapons or magazines therefor by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of assault weapons is within the scope of their duties.

(f) The provisions of this Section shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the State of California or Section 2010 of the Fish and Game Code of the State of California.

(g) Notwithstanding the provisions of Subsection (d) of this Section:

1. Any person who obtains title to an assault weapon by bequest or intestate succession may retain possession for a period of time not to exceed six months, and shall within that time transfer title of the weapon to a dealer licensed pursuant to Article 4 of the State of California Penal Code, commencing at Section 12250, or to the Los Angeles County Sheriff's Department other police agency;

2. An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for

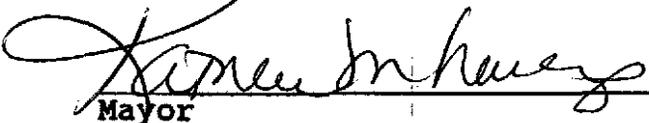
the purpose of being utilized as a prop during the course of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employee of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use; and

3. An assault weapon may be possessed by any federal, state or local historical society, museum or institutional collection which is open to the public, provided any such weapon is properly housed, secured from unauthorized handling and is unloaded.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Bellflower hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 3. Effective Date. This Ordinance shall take effect thirty days after its adoption. The City Clerk or his duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY
- OF HAWAIIAN GARDENS ON THIS 28th DAY OF March,
1989.



Mayor

Attest:



City Clerk

Evelyn M. Thissell, Deputy City Clerk
City of Hawaiian Gardens

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF HAWAIIAN GARDENS)

I, Evelyn Thissell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 343 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 28th day of March, 1989 by the following roll call vote as the same appears on file and of record in the office of the City Clerk.

AYES: Furgeson, Schultze, Wagner, Sher, Navejas
NOES: None
ABSENT: None
ABSTAIN: None

Evelyn M. Thissell

Evelyn M. Thissell
Deputy City Clerk
City of Hawaiian Gardens

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation, printed and published 7 times each week in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of March 21, 1934.

Case Number 370512; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 10,

all in the year 19 89.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Long Beach, California, this _____

10th day of

April, 19 89

E. M. Brown
Signature

PRESS-TELEGRAM
Legal Advertising Department
604 Pine Avenue, Long Beach, CA 90844
(213) 499-1236

This space is for the County Clerk's Filing Stamp

Proof of Publication of

CITY OF HAWAIIAN GARDENS

ORDINANCE #343

CITY OF HAWAIIAN GARDENS
ORDINANCE NO. 343

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS AMENDING CHAPTER 9.60 BY ADDING SECTION 9.60.060 PROHIBITING THE SALE AND POSSESSION OF ASSAULT WEAPONS

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 9.60 is hereby amended by adding Section 9.60.060, to read as follows:

SECTION 9.60.060. ASSAULT WEAPONS -- SALE OR POSSESSION PROHIBITED:

(a) Subject to Subsection (d), the term "assault weapon," as used in this Section, shall include:

1. Any semiautomatic action, center fire rifle or carbine which accepts a detachable magazine with a capacity of twenty rounds or more including but not limited to the following firearms or their copies: M16 semiautomatic assault rifle, M16 semiautomatic assault rifle or carbine, Ingram M10 semiautomatic assault carbine, Ingram M10 semiautomatic assault carbine, Heckler and Koch M3 semiautomatic assault rifle, Heckler and Koch M1 semiautomatic assault rifle, M1A semiautomatic assault rifle, Thompson semiautomatic carbines and any other semiautomatic carbines manufactured by Auto Ordnance;
2. Any shotgun with a barrel of less than 18 inches and a folding stock or magazine capacity of more than six rounds;
3. Any weapon which may be readily restored to an operable assault weapon, as defined above in 1 and 2; and
4. Any part, or combination of parts, designed or intended to convert a weapon into an assault weapon, as defined above in 1 and 2, or any combination of parts from which an assault weapon may be readily assembled, if these parts are in the possession or under the control of the same person.

(b) As used in this Section, the term "semiautomatic" means a weapon which fires a single projectile for each single pull of the trigger and which employs a magazine.

(c) The term "assault weapon" does not include any of the following:

1. any of the above generally and specifically described weapons which is a "machine gun" as that term is defined by Section 12020 of the Penal Code of the State of California; any pistol, revolver or other firearm which is capable of being concealed upon one's person, as defined and regulated by the provisions of Sections 12021 and 12025 of the Penal Code of the State of California;
2. Any of the following: Weapons which do not use fixed ammunition, weapons which were manufactured prior to 1898, manually operated bolt action weapons, lever action weapons, slide action weapons, single shot weapons, multiple-barrel weapons, revolving cylinder weapons, semiautomatic weapons which use exclusively Mannlicher-style clips, semi-automatic weapons manufactured prior to 1954, rim-fire weapons that employ a tubular magazine;
3. Any assault weapon which is an antique or relic firearm or other weapon falling within the specifications of paragraphs (5), (7) and (8) of Subsection (b) of Section 12020 of the Penal Code of the State of California;
4. any short-barreled rifle or shotgun as defined in Subsection (c) of Penal Code Section 12020; or
5. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(d) Except as specified in Subsections (e), (f), and (g), no person, including wholesale and retail gun dealers, shall sell, offer or display for sale, give, lend or transfer ownership of, or possess any assault weapon.

(e) Nothing in this Section shall prohibit the acquisition, possession, or disposition by police departments, sheriff's offices, marshal's offices, the California Highway Patrol, other local, state and federal law enforcement agencies, or the military and naval forces of this state or of the United States for use in the discharge of their official duties; nor shall anything in this Section prohibit the possession of assault weapons or magazines thereof by regular, salaried, full-time officers, employees or agents thereof when on duty and the use of assault weapons is within the scope of their duties.

(f) The provisions of this Section shall not apply to the possession of any assault weapon when such possession is prohibited by the provisions of Section 12031 of the Penal Code of the State of California or Section 3010 of the Fish and Game Code of the State of California.

(g) Notwithstanding the provisions of Subsection (d) of this section:

1. Any person who obtains title to an assault weapon by bequest or intestate succession may retain possession for a period of time not to exceed six months, and shall within that time transfer title of the weapon to a dealer licensed pursuant to Article 4 of the State of California Penal Code, commencing at Section 12020, or to the Los Angeles County Sheriff's Department or other police agency.

2. An assault weapon may be maintained in the possession of an entity or establishment engaged in the business of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production, but only for the purpose of being utilized as a prop during the course of motion picture, television or video production by an authorized participant therein or by an authorized agent or employe of the entity or establishment, and only if the entity or establishment properly secures such assault weapon from unauthorized use; and

3. An assault weapon may be possessed by any federal, state or local historical society, museum or institutional collection which is open to the public, provided any such weapon is properly housed, secured from unauthorized handling and is unloaded.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unenforceable by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Hawaiian Gardens hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unenforceable.

SECTION 3. Effective Date. This Ordinance shall take effect thirty days after its adoption. The City Clerk or his duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS ON THIS 28th DAY OF MARCH, 1969.

K. NAVAS
Mayor

ATTEST:
CARROL J. DORFMEYER
City Clerk

Evelyn M. Thissell, Deputy City Clerk
City of Hawaiian Gardens

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF HAWAIIAN GARDENS

I, Evelyn Thissell, City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 343, was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 28th day of March, 1969, by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: FURBERSON, SCHULTZ, WAGNER, SHER, NAVAS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

EVELYN M. THISSELL,
Deputy City Clerk
City of Hawaiian Gardens

Pub. April 10, 1969 (18 PT 781320 Govt.)

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation, printed and published 7 times each week in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of March 21, 1934.

Case Number 370512; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 4

all in the year 19 89

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Long Beach, California, this _____

4th day of

January, 1989

Signature

Betty Herbon

PRESS-TELEGRAM

Legal Advertising Department
604 Pine Avenue, Long Beach, CA 90844
(213) 499-1236

2.500 -- No. 36 -- Classified

This space is for the County Clerk's Filing Stamp

Proof of Publication of

CITY OF HAWAIIAN GARDEN

ORDINANCE 342

**CITY OF HAWAIIAN GARDENS
ORDINANCE #342**

An Ordinance of The City of Hawaiian Gardens Prohibiting The Processing and Issuance of Bingo Permits and Licenses dealing with Chapter 9.64.

The City Council of The City of Hawaiian Gardens does ordain as follows:

Section 1. Chapter 9.64 is hereby amended by adding Section 9.64.070.2 to read as follows:

"Section 9.64.070.2 Notwithstanding the provisions of Chapter 9.64 of the Municipal Code of The City of Hawaiian Gardens dealing with permits and licenses of Bingo games, the processing of applications for permits and licenses required to maintain, operate and a Bingo game, the modifications of existing licenses and permits and the issuance of licenses and permits relating to Bingo is hereby suspended and prohibited. Nothing in this Section is intended to affect the renewal of permits and licenses now in effect for currently operating Bingo games pursuant to Chapter 9.64."

Section 2. Severability. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

Section 3. Effective Date. This ordinance shall take effect thirty (30) days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published in the manner provided by law.

**PASSED, APPROVED, AND ADOPTED ON THIS 27th DAY
OF DECEMBER, 1988.**

KATHLEEN NAVEJAS
Mayor

ATTEST:
EVELYN M. THISSELL
Deputy City Clerk
City of Hawaiian Gardens

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF HAWAIIAN GARDENS)

I, Evelyn Thisell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 342 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 27th day of December, 1988, as the same appears on file and of record in the office of the City Clerk.

AYES: FURGESON, SCHULTZE, SHER, NAVEJAS
NOES: WAGNER
ABSENT: None
ABSTAIN: None

EVELYN M. THISSELL
Deputy City Clerk
City of Hawaiian Gardens

Pub. Jan. 4, 1989 (14) PT (646922-Govt.)