

TO: City Manager Kelly McAdoo

From: Mayor Barbara Halliday and Council Members Sara Lamnin and Angela Andrews

Re: Referral Memorandum for consideration by City Council

August 2021

The proliferation of guns and escalation of gun violence in our society has risen to a level in recent years that calls to question whether current regulations at all levels of government regarding the sales and use of guns are sufficient to keep our communities and residents safe.

While the guns themselves are not the only contributors to gun violence, they are the component most affected by City legislation.

In the City of Hayward, firearms sales are regulated under our Municipal Code through the issuance of Firearms Dealers permits by Hayward Police Department following background checks. Firearms dealers operating a business with firearms sales being the primary use are required to obtain a Conditional Use Permit, while dealers who sell firearms as an ancillary activity such as sporting goods stores can be issued permits at the discretion of the Planning Director. There are currently seven permitted gun sales businesses operating in the City of Hayward, although some may not be currently active.

Given the growing concern here in Hayward and throughout the nation regarding the impact of gun violence and accidental misuse of guns on the safety of our community, we are recommending that the City Council consider the current status of gun regulations in Hayward and the adequacy of existing laws, including, but not limited to:

- Review of our land use policies and regulations to ensure adequate distancing of gun sales from incompatible and sensitive land uses;
- Review of current permitted business including whether or not they are operational and the number and type of calls for service to help determine the appropriate number of permits for the City;
- Enactment of safe storage requirements;
- Requirements related to gun purchaser screening and documentation of gun sales;
- Gun owner accountability measures such as insurance requirements; and
- Input from public safety and mental health professionals as well as gun violence perpetrators and victims about the sources and causes of gun violence.

As an initial step, we propose that a Council Work Session be held before the end of 2021 for Council to give direction to staff regarding further actions to be undertaken and to evaluate how these actions could impact other public safety initiatives already underway.