



RESOLUTION NO. 2011-236

RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO SUPPORTING THE CHIEF OF POLICE ISSUANCE
OF CONCEALED WEAPONS PERMITS IN COMPLIANCE
WITH THE CALIFORNIA STATE PENAL CODE.

WHEREAS, the residents of Fresno have the right to protect themselves, their family, friends and their employees; and

WHEREAS, reasonable and prudent qualifications standards contained in the California Penal Code will insure that law abiding citizens can qualify for a concealed weapons permit; and

WHEREAS, reasonable guidelines and restrictions that insure public safety are contained in the Penal Code; and

WHEREAS, the Chief of Police's procedures regarding issuance of concealed weapons permits are based exclusively on the regulations found in the Penal Code.

WHEREAS, California Governor Jerry Brown recently signed into law SB610 that clarifies all Agencies issuing Concealed Weapons Permits (CCW's) must publish a written policy what the Agency considers to be good cause, good moral character, residency, and describe what training course will be required of all CCW applicants of the Agency.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The above recitals are true and correct.
2. The Council supports the issuance of concealed weapons permits by the Chief of Police consistent with the procedures set forth in the Penal Code pursuant to California Penal Code Sections 12050 et seq., and 21650 et seq.

Adopted 11-17-11
Approved 11-23-11
Effective 11-23-11



3. "Good Cause" for issuance of a Concealed Weapons Permit under the Penal Code shall include any qualified citizen concerned for the safety of themselves, their family and friends, or their employees.

4. The Chief of Police, in accordance with the Penal Code, will be the final issuing authority.

5. The Chief of Police will not place any restrictions that are less restrictive or more restrictive than those authorized by the Penal Code.

6. Any restrictions for issuance specified in the Concealed Weapons Permit Policy, will be consistent with State or Federal laws.

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7. Any applicant denied a concealed weapons permit may submit a written appeal to the Chief of Police pursuant to Fresno Municipal Code Section 1-407, et seq.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 17 day of Nov, 2011.

AYES : Borgeas, Olivier, Quintero, Westerlund, Brand
NOES : Baines, Xiong
ABSENT : None
ABSTAIN : None

Mayor Approval: November 23, 2011
Mayor Approval/No Return: N/A, 2011
Mayor Veto: N/A, 2011
Council Override Vote: N/A, 2011

REBECCA E. KLISCH
City Clerk

BY: Rebecca E. Klisch
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: Michael D. Flores, Deputy

MDF:ns [57389ns/mdf]- 11/14/11

November 17, 2011

Council Adoption: 11/17/11
Mayor Approval:
Mayor Veto:
Override Request:



TO: MAYOR ASHLEY SWEARENGIN RECEIVED
FROM: REBECCA E. KLISCH, CMC REK 2011 NOV 23 PM 3:34
City Clerk CITY CLERK, FRESNO CA

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 11/17/11, Council adopted the attached Resolution No. 2011- 236 entitled **Supporting Chief of Police issuance of concealed weapons permits (policy)**, Item No. **10:00 A.M. A-1**, by the following vote:

Ayes : Borgeas, Olivier, Quintero, Westerlund, Brand
Noes : Baines, Xiong
Absent : None
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before November 28, 2011. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED:

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)


Ashley Swearengin, Mayor

Date: 11/23/11

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :