

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: October 10, 2024

PREPARED BY: Anthony J. Mejia, City Clerk

SUBJECT: STUDY SESSION: DISCUSSION ON A DRAFT ORDINANCE AMENDING  
THE PALM DESERT MUNICIPAL CODE TO PROHIBIT THE  
POSSESSION OF FIREARMS AT CITY HALL

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## **RECOMMENDATION:**

Provide feedback on a draft ordinance amending the Palm Desert Municipal Code to prohibit the possession of firearms at City Hall.

## **BACKGROUND/ANALYSIS:**

On September 12, 2024, the City Council held a Study Session to review and provide feedback on a proposed policy addressing threats of violence against Council Members and candidates, as well as firearm restrictions at City Hall. The City Council expressed support for the draft policy and directed staff to further explore legal options for restricting firearms at City Hall.

California Penal Code Section 171b prohibits firearms in state and local public buildings; however, it does not explicitly extend this prohibition to individuals with Concealed Weapon Permits (CWP). The proposed ordinance addresses this gap by extending the prohibition to all individuals, including CWP holders, with specific exemptions for law enforcement and other authorized personnel.

## **Key Provisions:**

1. **Firearms Prohibited:** It shall be unlawful for any person to bring or possess a firearm, whether concealed or otherwise, on the premises of Palm Desert City Hall. This prohibition applies to all individuals, including those with Concealed Weapon Permits (CWP).
2. **Exemptions:** The ordinance provides specific exemptions for law enforcement officers and other authorized personnel, such as security personnel, performing their official duties.
3. **Sensitive Places:** Palm Desert City Hall shall be designated as a "sensitive place," a legal term recognized by the U.S. Supreme Court, where restrictions on firearms are permitted due to the nature of the activities and the presence of public officials and citizens.
4. **Penalties:** Violations of the ordinance are subject to penalties under the Palm Desert Municipal Code, including infractions for first offenses and potential misdemeanors for repeat violations.

## **Legal Review:**

This report has been reviewed by the City Attorney's Office.

**FINANCIAL IMPACT:**

There will be a nominal cost associated with posting signage at all City Hall entrances to notify the public of the firearm prohibition. This cost is estimated to be minimal and can be absorbed within the existing budget.

**ATTACHMENT:**

1. Draft Ordinance