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## *CARRY CONCEALED WEAPON LICENSE POLICY*

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### **POLICY:**

The Atascadero Police Department will fairly and impartially consider all applications to carry concealed firearms in accordance with applicable law and this policy.

Applications that do not follow the explicit guidelines within this policy will be denied.

### **QUALIFIED APPLICANTS:**

In order to qualify for a license to carry a concealed firearm, the applicant must meet certain requirements, including:

- Be a resident of the City of Atascadero (Penal Code § 26150; Penal Code § 26155).
- Be at least 21 years of age (Penal Code § 29610).
- Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
- Be free from criminal convictions that would disqualify the applicant from carrying a concealed firearm.
- Fingerprints will be required and a complete criminal background check will be conducted.
- Be of good moral character (Penal Code § 26150; Penal Code § 26155). The applicant shall provide at least three letters of character reference.
- Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).
- Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- Provide proof of ownership or registration of any firearm to be included on the license.
- Be free from any psychological conditions that might make the applicant unsuitable for carrying a concealed firearm (Penal Code § 26190).
- Complete required training (Penal Code § 26165).

## **APPLICATION PROCESS:**

The application process for a license to carry a concealed firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

### **PHASE ONE**

- Read and complete the entire application packet. Return the completed application to the Atascadero Police Department.
- You will be notified within 90 days if the application has been approved to move onto phase two or if the application has been denied, per penal code section 26205.

### **PHASE TWO**

- You will be contacted to make an appointment with the Chief of Police or authorized designee for an interview
- Schedule a fingerprint process appointment with the Atascadero Police Department, where you will pay a \$93 fee to the City of Atascadero for the Department of Justice and a \$37 fee to the City of Atascadero
- Make an appointment to attend one of the DOJ pre-approved firearm safety courses pursuant to penal code section 26165. Applicants will be allowed only two guns approved for carry concealed on the issued license.
- Once the certificate is received from the applicant, you will be contacted to make an appointment with the Atascadero Police Department Armorer for a firearms inspection. You will be required to bring in your unloaded firearms listed on the CCW application with an empty magazine to this appointment

Upon successful completion of the above items and a return from the Department of Justice, the applicant will be notified if approved or denied for the application. If approved you will be notified to make an appointment to retrieve your CCW license. A \$100 City of Atascadero administrative fee will be collected and the license issued. Be prepared to take a photograph. Licenses are only good for two years and will require a new application within 90 days of expiration per penal code 26220. For renewals please see the renewal application process for more information.

Return the entire application with all attachments to the Atascadero Police Department.

If you have you have any questions, please call 805-470-3200

## **APPLICATION COMPLETION CHECKLIST:**

- Read and fill out the entire application.
- Sign and date the application where applicable.
- Complete Section 7 “Investigator’s Interview Notes”
- Attach a copy of your California Driver’s License
- Attach one item of canceled postage confirming your physical street address. If no mail receptacle at your residence, include a copy of a utility bill that lists your residence address
- Include 3 signed letters of character reference from individuals other than relatives. (only for new applicants)

**COSTS: \$525** this is approximate (applies to initial applicants only)

Payments will be made at different times throughout the process. Applicants will not be required to pay for training courses prior to the determination of good cause being made pursuant to Penal Code Section 26202. Applicants will not be required to pay the administrative costs until the issuance of the license.

### **Cost breakdown:**

- \$93 Department of Justice Application fee (Non-refundable if denied)
- \$37 to the City of Atascadero for fingerprint processing (Non-refundable if denied)
- \$100 City of Atascadero administrative fee per Penal Code section 26190 (collected at the time of issuance.)
- Approximately \$300 for the required training course. Payable to appointed trainers. (cost may vary depending on the vendor)

## **ISSUED CONCEALED FIREARMS LICENSE**

In the event a license to carry a concealed firearm is issued by the Chief of Police, the following shall apply:

- The license will not be valid outside the state of California.
- The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner, and circumstances under which the person may carry the firearm.
  - All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
  - The licensee may be required to sign a Restrictions and Conditions Agreement, as applicable.
- Any violation of any of the restrictions and conditions agreement may result in the immediate revocation of the license.
  - All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.
- The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).
  - A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
  - A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code §831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.
- If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).
- The licensee shall notify this department in writing within 10 days of any change of place of residency.

## **LICENSE RESTRICTIONS**

The Chief of Police may place special restrictions limiting the time, place, manner, and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

- Consuming any alcoholic beverage while armed.
- Falsely representing him/herself as a peace officer.
- Unjustified or unreasonable displaying of a firearm.
- Committing any crime.
- Being under the influence of any medication or drug while armed.
- Interfering with any law enforcement officer's duties.
- Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
- Loading the permitted firearm with illegal ammunition.

- The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights, or modifications shall void any license and serve as grounds for revocation.

The Chief of Police or authorized designee reserves the right to inspect any license or licensed firearm at any time.

## **AMENDMENTS TO LICENSES**

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment (BOF 4502 form) along with the current processing fee of \$10.00 to the City of Atascadero (Penal Code § 26190):

- Add or delete the authority to carry a concealed firearm listed on the license.
- Change restrictions or conditions previously placed on the license.
- Change the address or other personal information of the licensee (Penal Code § 26210).
- In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

## **REVOCAION OF LICENSES**

Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

- The licensee has violated any of the restrictions or conditions placed upon the license.
- The licensee becomes psychologically unsuitable to carry a firearm.
- The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103, or any state or federal law.
- The licensee engages in any conduct that involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

## **LICENSE RENEWAL**

No later than 90 days prior to the expiration of any valid license to carry a concealed firearm, the licensee may apply to the Chief of Police for renewal by doing the following:

- Complete the entire application packet and submit to the Atascadero Police Department
- Complete a department-approved training course pursuant to Penal Code §26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).
- You will be notified to make an appointment with the Armorer for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- You will be notified to make an appointment to get the renewal license, paying a non-refundable renewal application fee. (\$52.00 to the Department of Justice, and \$25 renewal fee to the City of Atascadero).
- Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal. Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205).
- If no renewal application is submitted and the last issued CCW license has been expired for 30 days, DOJ will be notified as “no longer interested”. If 30 days have passed from the expiration date of the license, a new application process will have to be done in order to get a new CCW license.