

RESOLUTION NO.: 2014-29

RESOLUTION OF THE MAYOR AND THE  
CITY COUNCIL OF THE CITY OF  
HIALEAH, FLORIDA, SUPPORTING  
EFFORTS TO REDUCE GUN VIOLENCE  
AND ILLEGAL FIREARMS TRAFFICKING  
THROUGH MORE RESPONSIBLE GUN  
SALES AND MARKETING PRACTICES.

**WHEREAS**, according to the Florida Center for Investigative Reporting (“FCIR”), gun murders in Florida rose 38 percent between 2000 and 2011 and guns are used in more than 70 percent of Florida homicides, up from 56 percent in 2000; and

**WHEREAS**, the National Gun Victims Action Council has reported that, in an average day in the United States, guns are used to kill more than 80 people, injure almost 300 more, and commit approximately 3,000 crimes; and

**WHEREAS**, the National Gun Victims Action Council has reported that the vast majority of the approximately 12,000 annual gun murders and 66,000 non-fatal shootings are committed by people who have no legal right to a gun; and

**WHEREAS**, firearms often fall into criminal hands by means of “straw purchases,” in which a friend or family member passes the required background check imposed by federally-licensed dealers, and purchases a gun for a third person who could not pass the background check; and

**WHEREAS**, according to a recent study published in the Journal of Public Policy and Marketing, responsible practices by gun manufacturers and distributors help to prevent guns from falling into criminal hands, thus helping reduce the incidence of gun violence; and

**WHEREAS**, the Mayor and the City Council of the City of Hialeah, Florida join other Miami-Dade County municipalities, commend the voluntary efforts of responsible gun manufacturers and distributors who contribute to reducing gun violence and gun-related crimes in our communities, and support the growing coalition of municipalities in support of initiatives to reduce gun violence and illegal firearms trafficking.

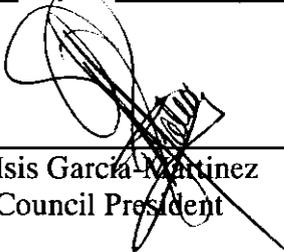
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1.** The foregoing facts and recitations contained in the preamble of this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2.** The Mayor and the City Council of the City of Hialeah, Florida support efforts to reduce gun violence and illegal firearms trafficking through responsible gun sales and marketing practices.

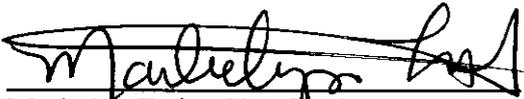
**Section 3.** The Mayor and the City Council of the City of Hialeah, Florida vow to coordinate with other municipalities in support of this initiative to reduce gun violence and gun-related crimes in our communities. As part of these coordinated efforts, the City of Hialeah vows to implement the Code of Best Practices, which is attached hereto and made a part hereof as Exhibit "1".

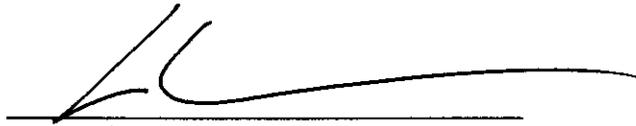
PASSED AND ADOPTED this 11 day of February, 2014.

  
\_\_\_\_\_  
Isis Garcia-Martinez  
Council President

Attest:

Approved on the 14 day of February, 2014.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to legal sufficiency and form:

  
\_\_\_\_\_  
William M. Grodniek, City Attorney

# **RESPONSIBLE FIREARMS RETAILER PARTNERSHIP: CODE OF BEST PRACTICES**

The points of the Responsible Firearms Retailer Partnership are:

1. **Employee Responsibility Training.** Participating retailers will participate in an employee responsibility training program focused on deterring illegal purchasers.
2. **Ensuring legal trade-ins.** Participating retailers will carry out a computer check to ensure any trade-in firearms are not stolen.
3. **Employee Background Checks.** Participating retailers will conduct criminal background checks for all employees selling or handling firearms.
4. **Consistent Visible Signage.** Participating retailers will post signage created by the Responsible Firearms Retailer Partnership to alert customers of their legal responsibilities at the point-of-sale.
5. **Videotaping the Point of Sale for All Firearms Transactions.** Participating retailers will videotape the point-of-sale of all firearms transactions and maintain videos for 6 months to deter illegal purchases and monitor employees.
6. **Inventory Checking.** Participating retailers will conduct daily and quarterly audits.
7. **No Sales Without Background Check Results.** Participating retailers would prohibit sales based on "default proceeds," which are permitted by law when background check has not returned a result within 3 days.
8. **Securing Firearms.** Participating retailers will maintain firearms kept in customer accessible areas in locked cases or locked racks.
9. **No Cell Phone Calls In Store.** Customers are prohibited from making in-store calls on their cell phones.

*Participating retailers will phase in the provisions of Responsible Firearms Retailer Partnership over time.*

**SIGNED:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

