

RESOLUTION NO. 2018-036

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SOLANA BEACH, CALIFORNIA, URGING FEDERAL AND
STATE REPRESENTATIVES TO ENACT RESPONSIBLE
GUN SAEFTY REGULATIONS**

WHEREAS, gun violence in the United States, resulting in over 30,000 deaths and 80,000 non-fatal injuries annually, is unacceptable and demands immediate action; and

WHEREAS, mass shootings have occurred in many public places, including at our schools, universities, theatres, concerts, hospitals and clinics, shopping malls, and churches. Gun violence can occur in any place and at any time in the United States; and

WHEREAS, gun violence also affects non-victims through emotional and psychological distress and trauma, both short term and long lasting; and

WHEREAS, incidents of gun violence, including mass shootings, in our nation have become epidemic and demand a concerted response from federal, state and local levels of government and public services, such as law enforcement and health agencies; and

WHEREAS, in just over five years since the December, 2012 Sandy Hook School shooting in Newtown, Connecticut, in which twenty first and second grade children and six teachers and staff were murdered by a single 19 year-old gunman, who had a history of mental and emotional disturbances and who had easy access to military style rifles and handguns, to date there have been more than 200 school shootings alone in our nation, with 138 more people killed and 300 people injured; and

WHEREAS, it is the primary responsibility of our legislators at the national and state levels to enact legislation enabling health, education and law enforcement agencies to keep our schools and communities safe. Our legislators must address the epidemic of gun violence with a sense of urgency to protect our communities and children; and

WHEREAS, we recognize the right of the people to keep and bear arms

under the Second Amendment to the Constitution of the United States, and that the U.S. Supreme Court has ruled, in *Heller vs District of Columbia*, 554 U.S. 570 (2008), in a majority opinion written by Justice Antonin Scalia, joined by Chief Justice John Roberts and Associate Justices Kennedy, Thomas and Alito, that “the right to bear arms is not unlimited” and federal and state governments may enact reasonable regulations to protect the public safety;

WHEREAS, the results of opinion polls widely reported over the past several years have shown that a large majority, estimated at more than two-thirds of all Americans, including Republicans and Democrats, public safety health and education officials, even a majority of the NRA gun lobby, support the enactment of reasonable and rational gun safety regulations.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. The community of Solana Beach, California, demands that our federal and state legislators perform their duty to protect the people and communities of the United States by enacting reasonable, rational laws regulating the safe possession and use of guns by the people of the United States.
3. Such regulations should include, at a minimum, raising to 21 years the age at which guns may be purchased or possessed; banning the sale and possession of military style semiautomatic and automatic rifles and handguns; banning the sale and possession of magazines capable of holding more than ten cartridges; universal background checks; mandatory safety training as a prerequisite for purchase of any gun; a ten day waiting period before receiving possession of a purchased gun; and limits on the amount of ammunition that may be sold and purchased in a given period of time.
4. Congress should repeal the so-called “Dickey Amendment” which prohibits federal funds being used to undertake research into the causes and remedies for the current gun violence epidemic in the United States.

5. The City of Solana Beach is opposed to the Concealed Carry Reciprocity Act of 2017, as passed under H.R. 38 by the United States House of Representatives, and calls on the United States Senate to reject its version of the Bill, S. 446.

6. The City of Solana Beach recognizes and supports the First Amendment right of the people to participate in peaceful, lawful demonstrations and events in support of the enactment of gun safety regulations, as permitted under the Second Amendment.

7. Upon adoption of this Resolution, the City Clerk of the City of Solana Beach shall transmit copies to the President and Vice President of the United States; the Speaker of the United States House of Representatives; the President pro tempore of the United States Senate; to each U. S. Senator from California; and to the Representative of the California 49th Congressional District; to the Governor of California; to the President pro tempore of the California Senate; and to the Speaker of the California Assembly.

PASSED AND ADOPTED this 28nd day of March 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSENT: Councilmembers –
ABSTAIN: Councilmembers –

GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk