

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE,
CALIFORNIA, DECLARING THE CITY TO BE A "SECOND AMENDMENT FREEDOM
& SANCTUARY CITY"

WHEREAS, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, states that "the right of the people to keep and bear Arms, shall not be infringed."; and

WHEREAS, the U.S. Supreme Court, in District of Columbia v Heller, affirmed a person's right to possess firearms independent of service in a militia for traditionally lawful purposes, such as self-defense within a home; and

WHEREAS, the U.S. Supreme Court, in McDonald v Chicago, affirmed that State laws cannot infringe upon an individual's right to "keep and bear arms"; and

WHEREAS, in 2009, the 9th Circuit, in Nordyke v King, concluded that "the right to keep and bear arms is deeply rooted in this Nation's history and tradition"; and

WHEREAS, there are numerous gun safety courses that are available to the citizens of San Clemente and their families to include the Eddie Eagle Gun Safe Program. Owners of firearms should take particular care to ensure the safe storage of firearms in their possession; and

WHEREAS, each member of the San Clemente City Council has taken an oath to support and defend the United States Constitution and the Constitution of the State of California.

NOW, THEREFORE, BE IT RESOLVED, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1. That the City of San Clemente is hereby declared to be a Second Amendment Freedom and Sanctuary City.

Section 2. That the City of San Clemente City Council encourages all owners of firearms to complete firearms safety training and to ensure all firearms are stored in a safe and secure manner.

Section 3. That the City of San Clemente City Council encourages all owners of firearms with children in their homes to teach those children the need for firearms safety.

Section 4. That the City Clerk is hereby directed to prepare and deliver copies of this Resolution to all members of the California State Legislature and to the Office of the Governor.

Section 5. The City Clerk shall certify to the passage and adoption of this resolution

and enter it into the book of original resolutions.

PASSED AND ADOPTED this ____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the ____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this ____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney