

RESOLUTION NO. 16-240

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING FEDERAL AND STATE ELECTED OFFICIALS TO COLLABORATE WITH LOCAL OFFICIALS AND FIRST RESPONDERS TO ENHANCE THE SAFETY OF OUR COMMUNITY BY LIMITING THE AVAILABILITY AND USE OF MILITARY GRADE, HIGH CAPACITY MAGAZINE ASSAULT WEAPONS TO LAW ENFORCEMENT AGENCIES; URGING THE U.S. CONGRESS TO REINSTATE A FEDERAL ASSAULT WEAPONS BAN; URGING THE FLORIDA LEGISLATURE TO INSTATE A BAN ON ASSAULT WEAPONS; ALTERNATIVELY, URGING THE FLORIDA LEGISLATURE TO ALLOW LOCAL GOVERNMENTS TO IMPOSE AN ASSAULT WEAPONS BAN; DIRECTING CITY LOBBYISTS TO LOBBY FOR THE PASSAGE OF LEGISLATION TO IMPOSE AN ASSAULT WEAPONS BAN, AND STRENGTHEN REGULATIONS REGARDING ASSAULT WEAPONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the confluence of the Internet, international and lone wolf domestic terrorism, underfunded community mental health programs, and easy access to military grade, high-capacity magazine assault weapons, has created circumstances which have led to an unprecedented number of mass shootings in communities in the State of Florida and around the country in recent years; and

WHEREAS, such shootings have taken place at Columbine High School in Littleton, CO (13 dead), at Sandy Hook Elementary in Connecticut (27 dead), at the Century 16 Movie Theater in Aurora, CO (12 dead), at a retirement party in a social services office in

San Bernardino, CA (14 dead), and most recently at the Pulse Nightclub in Orlando, Florida (49 dead), resulting in the tragic death and maiming of large numbers of innocent citizens at great pain and cost to their families and their communities; and

WHEREAS, the military-scaled weaponry used in these and other mass shootings exceeds the weaponry generally available to local law enforcement officers, which puts those officers, together with their communities and safe gathering places where community life is enjoyed, in great and unnecessary peril; and

WHEREAS, military-grade high-capacity magazine assault weapons and the grave hazard they present to communities and innocent citizens have no valid role to serve in community and civilian life and are even disavowed by most reputable pro-hunting organizations; and

WHEREAS, as indicated through national surveys, a majority of the American public, including legal gun owners, support extensive background checks for gun ownership and limiting the availability and use of military grade, high-capacity magazine assault weapons to bona-fide and highly trained law enforcement agencies; and

WHEREAS, the United States Senate, following the tragedy at Pulse Nightclub in Orland, Florida, voted on, but was unable to pass, a proposal to update the background check system for gun purchases, which would have required states to add more information on mental health records to a national database, and which also included a provision to alert law enforcement agencies when an individual who was on a government terror watch list in the last five years buys a gun; and

WHEREAS, the United States Senate, following the tragedy at Pulse Nightclub, voted on, but was unable to pass, a proposal to expand the background check system for those buying guns to require checks at gun shows and for online purchases; and

WHEREAS, the United State Senate, following the tragedy at Pulse Nightclub voted on, but was unable to pass, a proposal to delay gun sales to individuals included on a government terror watch list, and which also would allow a judge to permanently block a purchase if the court determined with probable cause that the individual is involved in terrorist activity; and

WHEREAS, the United States Senate, following the tragedy at Pulse Nightclub, voted on, but was unable to pass, a proposal that sought to bar all gun sales to those individuals on the terror watch list; and

WHEREAS, gun violence is a pervasive, national problem that is exacerbated by the availability of semi-automatic assault weapons at gun shows, flea markets, and other organized events; and

WHEREAS, the drafters of the Second Amendment to the United States Constitution never envisioned automatic or semi-automatic weapons when the right to bear arms was first conceived; and

WHEREAS, one of the principal goals of the United States Constitution, as set forth in the preamble is "to insure domestic tranquility;" and

WHEREAS, the proliferation of automatic and semi-automatic weapons, as well as high capacity ammunition devises and magazines, presents a growing problem to law enforcement and to this nation's domestic tranquility; and

WHEREAS, over 5,000 gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and non-licensed vendors; and

WHEREAS, gun shows, as well as flea markets and other organized events at which a large number of firearms are offered for sale by federal firearms licensees and non-licensed vendors, form a significant part of the national firearms market; and

WHEREAS, at gun shows, flea markets, and other organized events at which guns are exhibited and offered for sale or exchange, criminals and other prohibited form owning firearms obtain guns without background checks and frequently use guns, whose ownership cannot be traced, to later commit crimes; and

WHEREAS, the Florida and United States legislatures have the authority to require, by statute, that any non-licensed vendors be required to conduct the same background check of the purchaser as currently required for licensed vendors; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Commission calls upon our elected Federal and State Legislative and Executive officials to support safe communities and heed to requests of citizens to enhance the safety of our community and our many gathering places by supporting the desires of a majority of the American public to strictly limit the availability and use of military-grade High-capacity assault weapons to bona fide law enforcement agencies and to do so with the sense of urgency and commitment which is warranted in the face the ongoing, tragic and unnecessary loss of life triggered by mass shootings with high-powered military-grade high-capacity magazine assault weapons.

Section 2: That the U.S. Congress is urged to reinstate the federal assault weapons ban.

Section 3: That the Florida Legislature is urged to institute a state ban on assault weapons.

Section 4: Alternatively, that the Florida Legislature is urged to lift the preemption presently in place in order to allow local governments to impose an assault weapons ban.

Section 5: That the City's Federal and state lobbyists are directed to lobby for the passage of legislation that imposes an assault weapons ban, or alternatively, allow local governments to impose an assault weapons ban and strengthens the regulations and penalties regarding assault weapons.

Section 6: That the City Clerk is hereby directed to transmit certified copies of this Resolution to U.S. Senators Marco Rubio and Bill Nelson and to U.S. Representative Carlos Curbelo, and to national, state, municipal, public safety and media organizations interested in promoting safe community life and preventing mass shootings in American communities.

Section 7: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this 16 day of August, 2016.

Authenticated by the presiding officer and Clerk of the
Commission on August 17, 2016.

Filed with the Clerk August 17, 2016.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Absent</u>
Commissioner Jimmy Weekley	<u>Yes</u>


CRAIG CATES, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK