



COME TOGETHER & THRIVE

REMINDER

NOTICE OF MEETING

CITY COUNCIL

Dennis Fiorelli

President

Sara Continenza

Joe Frank

Marty Gelfand

Jane Goodman

Ruth Gray

Jason Russell

MEETING OF: **SAFETY COMMITTEE**

CALLED BY: MARTY GELFAND, CHAIRMAN

DATE: **MARCH 12, 2018**

LOCATION: COMMITTEE/JURY ROOM

TIME: 6:30 P.M.

RE: RES. 13-18: GUN REGULATIONS &
CIVIL SERVICE MINORITY
RECRUITMENT

COMMITTEE MEMBERS:

DENNIS FIORELLI

RUTH GRAY

COUNCIL MEMBERS:

SARA CONTINENZA

JOE FRANK

JANE GOODMAN

JASON RUSSELL

ADMINISTRATION:

KEVIN NIETERT, POLICE CHIEF

DOUG STEFKO, FIRE CHIEF

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 13-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Gelfand

February 26, 2018
Second Reading: March 12, 2018

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, COUNTY OF CUYAHOGA, CALLING ON THE OHIO GENERAL ASSEMBLY TO ENACT A BAN ON THE SALE OF ASSAULT WEAPONS AND AMMUNITION MAGAZINES IN EXCESS OF TEN ROUNDS.

WHEREAS, in 1994, Congress passed and President Clinton signed the Public Safety and Recreational Firearms Use Protection Act, which banned the manufacture for civilian use of certain semi-automatic firearms defined as assault weapons and certain ammunition magazines defined as large capacity in order to reduce crime and violence in the United States; and

WHEREAS, in 2004, the Act expired by operation of law and has not been renewed by Congress; and

WHEREAS, due to the expiration of the Act, assault weapons may be legally sold and purchased within the state of Ohio; and

WHEREAS, The City of Cleveland and other municipalities in the State of Ohio pursuant to their police powers as municipal corporations had withstood the efforts of the Ohio Legislature and advocates from the National Rifle Association to legalize such weapons persisted in enacting municipal ordinances banning assault weapons allowing those cities to protect their citizens from the dangers of Assault Weapons until 2010; and

WHEREAS, in 2006 the General Assembly and Governor of the State of Ohio began a concerted effort to undermine the authority of local governments to ban assault weapons; and

WHEREAS, in 2010 the State of Ohio and its Attorney General persuaded the Ohio Supreme Court in *Cleveland v. State of Ohio*, 128 Ohio St.3d 135 to rule that the less restrictive gun regulations passed by the legislature of the State of Ohio should preempt and invalidate Assault Weapons Bans such as those enacted by local governments; and

WHEREAS, also in 2010 the United States Supreme Court in *McDonald v. Chicago* 130 S. Ct. 3020, 561 US 742 agreed with amicus arguments submitted by the National Rifle Association, The Buckeye Firearms Association and certain State Attorneys General, including Ohio's Attorney General and ruled that the ability of municipal governments to regulate the use of dangerous weapons should be further limited; and

WHEREAS, since 1999, the number of mass shootings in schools, churches, and other public places has increased as the overall national crime rate has steadily declined; and

WHEREAS, in the last several years, mass shooting incidents involving assault style weapons and high-volume magazines once banned by the Act have occurred in locations across the United States including Tucson, Arizona; Aurora, Colorado; Newtown, Connecticut; Clackamas, Oregon; Virginia Tech University, Las Vegas, Nevada, Orlando, Florida, and Parkland Florida; and

WHEREAS, hundreds of innocent children and adults have been killed or injured in these incidents; and

WHEREAS, the use of semi-automatic, assault-style weapons equipped with large capacity magazines enables persons intent on committing mass murder to cause far more deaths and injuries than would be possible if such weapons and ammunition magazines were not available; and

WHEREAS, the people of the City of South Euclid mourn the loss of the 17 innocent people murdered on February 14, 2018 at Marjory Stoneman Douglas High School in Parkland, Florida, the deadliest school shooting since 2012; and

WHEREAS, the firearm used to murder and injure the victims at Marjory Stoneman Douglas High School was an AR-15 semi-automatic assault style weapon equipped with high capacity magazines; and

WHEREAS, assault-style weapons and large capacity ammunition magazines are not suitable for civilian use of any type and constitute a demonstrated threat to the general public and law enforcement personnel; and

WHEREAS, this City Council finds that enactment of a ban on assault-style weapons and high-capacity magazines based upon the provisions of the Assault Weapons Ban of 2013 as introduced in the United States Senate would serve the best interests of the residents of this community.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of South Euclid:

Section 1: Urges the Ohio General Assembly to immediately enact a law mirroring the provisions of the Assault Weapons Ban of 2013 as introduced in the United States Senate; and

Section 2: That the Clerk of City Council is directed to send a certified copy of this resolution to the members of the Ohio General Assembly who represent the City, to the Speaker of the Ohio House of Representatives, to the President of the Ohio Senate and to the Governor of the State of Ohio.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation for the public peace, health, and safety and for further reason that a vital function of the municipal government is effected hereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law