RESOLUTION NO. 13-08

A RESOLUTION OF THE CITY COUNCIL OF MARCO ISLAND, FLORIDA, TO PRESERVE AND DEFEND THE CONSTITUTION OF THE UNITED STATES AND THE STATE OF FLORIDA.

WHEREAS, the Constitution of the United States provides: "A well regulated militia being necessary to the security of a free state, the right of the People to keep and bear arms shall not be infringed." (Second Amendment), and

WHEREAS, the Constitution of the State of Florida provides: "The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law." (Article I, Section 8), and

WHEREAS, the United States Supreme Court in recent years has twice upheld the Second Amendment as applying to individuals' right to keep and bear arms (***District of Columbia v. Heller***, 554 U.S. 570 (2008) and ***McDonald v. Chicago***, 561 US 3025 (2010)), and

WHEREAS, The President and Vice President of the United States, as well as members of Congress, have been reported recently to be considering adopting laws, regulations or actions which we believe would have the effect of infringing on the right of Americans to keep and bear arms, and

WHEREAS, the reasons given in support of such infringements as gun registration, banning certain kinds of weapons and accessories, requiring extreme background checks, restricting the bearing of arms such as excessive restrictions on concealed carry and possibly other restrictions, have not been shown by the substantial weight of scientific evidence to have been effective in accomplishing the stated objectives of such restrictions as compelling necessities for government action to protect the public safety,

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY OF MARCO ISLAND CITY COUNCIL, sitting in duly called session on this day, that:

The City of Marco Island City Council calls upon the Governor, Florida Legislature, and the Collier County Board of County Commissioners to immediately pass an act to nullify the implementation within the State of Florida of any Federal law, executive order or regulations restricting the right to keep and bear arms, and

BE IT FURTHER RESOLVED, that no city resources be used in the implementation of any Federal law, executive order or executive directive that infringes upon established Constitutional rights.

BE IT FURTHER RESOLVED, that this resolution, properly enacted and executed this the 19th dayof February 2013 be transmitted to the Clerk of the Senate and House of Representatives of the Florida Legislature, the Governor, the Collier County Board of County Commissioners and each member of the Legislature as well as to each County Commission in the State of Florida and to the public and be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's office.

THIS RESOLUTION ADOPTED after motion, second, and majority vote favoring same on this the 19th day of February, 2013.

ATTEST:

Laura Litzan, City Clerk

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Joe Batte, Chairman

Approved as to form and
legal sufficiency:

Burt L. Saunders, City Attorney