

# CITY OF IDAHO CITY

## RESOLUTION #2021-02

### SECOND AMENDMENT/LAWFUL GUN OWNER SANCTUARY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY, IDAHO, DECLARING THE CITY OF IDAHO CITY, IDAHO A SECOND AMENDMENT/LAWFUL GUN OWNER SANCTUARY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Second Amendment of the United States Constitution reads: "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," an individual right affirmed by the United States Supreme Court and,

**WHEREAS**, the State of Idaho has recognized that the Second Amendment to the Constitution of the United States of America protects the fundamental rights of its citizens; and,

**WHEREAS**, the City Council desires to express its deep commitment to the rights of citizens of City of Idaho City to keep and bear arms; and,

**WHEREAS**, the City Council desires to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Idaho City, and,

**WHEREAS**, the City Council desires to express its intent to stand as a Sanctuary City for Second Amendment rights and to oppose, within the limits of the Constitution of the United States, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Idaho City, Idaho, as follows:

1. The City Council of the City of Idaho City, Idaho hereby expresses its intent to uphold the Second Amendment rights of the citizens of Idaho City and its intent that public funds of the City not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Idaho City to bear arms; and
2. The City Council hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient; and,
3. The City Council hereby declares the City of Idaho City, Boise County, Idaho, as a "Second Amendment/Lawful Gun Owner Sanctuary."

4. If any part of this resolution is declared to be invalid by a court of competent jurisdiction, then the remaining portion shall remain in effect.
5. The City Clerk is directed to assign the next resolution number in sequence and this resolution is effective upon its approval.

**ADOPTED** by the City Council of the City of Idaho City on 2/24, 2021.

**CITY OF IDAHO CITY**

  
Phillip J. Canody, Mayor

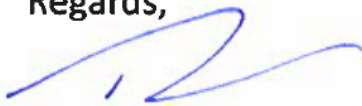
**Attest:**

  
Nancy L. Ptak, City Clerk

02/01/2121

I am proposing that Idaho City, Idaho become a Second Amendment Sanctuary City. Second Amendment type of sanctuary refers to a city, town, or county that has adopted a resolution rejecting the enforcement of state or federal gun laws perceived to violate the Second Amendment. Targeted regulations commonly include red flag laws, universal gun background checks, and bans on assault-style weapons. I have attached the resolution that the City of Greenleaf Idaho put into place. I also recommend that me make this an ordinance rather than just a resolution.

Regards,



Bobby Mathews