

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

ORDINANCE NO. 2018-002

AN ORDINANCE RELATING TO FIREARMS

WHEREAS, Josephine County strongly affirms its commitment to the unalienable rights and liberties enshrined within the United States Constitution and the Oregon Constitution; and

WHEREAS, Josephine County opposes any state or federal law that violates, or is contrary to, Constitutional provisions; and

WHEREAS, Josephine County strongly supports the right of the people to keep and bear arms, and vigorously opposes any state or federal law that unconstitutionally infringes upon that right; and

WHEREAS, the Board of Josephine County Commissioners are sworn into office by taking an oath to uphold the Constitution of the United States of America and the Constitution of the State of Oregon; and

WHEREAS, the criminal misuse of firearms is due to the fact that criminals do not obey laws and thus is not a reason to ignore the unalienable, Constitutionally recognized right of law-abiding citizens to keep and bear arms; and

WHEREAS, the Josephine County Charter prohibits the government from infringing upon the Right to Bear Arms; and

WHEREAS, the Josephine County Board of Commissioners recognize that the first and last protectors of the United States Constitution are the people of the United States, and that the ability of the people to fulfill that role rests in large part with the peoples' unalienable right to bear arms as described in the Constitutions of the United States of America and of Oregon; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF JOSEPHINE COUNTY ORDAINS AS FOLLOWS:

SECTION 1.00 **TITLE**

This ordinance shall be known as the Josephine County Firearm Ordinance.

SECTION 2.00 **PURPOSE AND INTENT**

The purpose of this Ordinance is to protect citizens against encroachment upon their unalienable Right to Bear Arms.

SECTION 3.00 **AUTHORITY**

As Josephine County's governing body, the Board of Commissioners retains authority to pass and enforce ordinances.

SECTION 4.00 ENFORCEMENT OF STATE AND FEDERAL FIREARM LAWS

- 4.01 No law enforcement Agency, Office or Department shall use public funds, tax dollars, equipment or personnel for the purpose of investigating, detecting, apprehending, or incarcerating persons whose only violation of law is that they carry, manufacture, import, possess, purchase, sell or transfer firearms or firearm related items.

- 4.02 No law enforcement Agency, Office or Department shall use public funds, tax dollars, equipment or personnel for the purpose of investigating, detecting, apprehending, or incarcerating persons whose only violation of law is that they fail to secure, lock, register, or report the loss or theft of firearms or firearm related items.

SECTION 5.00 SEVERABILITY

In the event that any part of this ordinance shall be held by a court to be invalid or unenforceable, the remaining sections shall be unaffected and shall remain in full force and effect. Subtitles used for sections, subsections, and other parts of this Ordinance are for convenience of reference only and do not constitute a part of this Ordinance nor an expression of legislative intent.

SECTION 6.00 EFFECTIVE DATE

First reading by the Board of County Commissioners this 3rd day of July, 2018.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 25th day of July, 2018. This ordinance shall take effect 90 days following its passage.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS

Daniel E. DeYoung
Daniel E. DeYoung, Chair

Absent at Signing
Lily N. Morgan, Vice Chair

Simon G. Hare
Simon G. Hare, Commissioner

ATTEST:

Wendy Watkins
Recording Secretary

APPROVED AS TO FORM:

Wally Hicks
Wally Hicks, Legal Counsel