

RESOLUTION NO. 2023-15

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

A RESOLUTION CALLING UPON THE STATE OF OHIO TO BAN THE AR-15 AND AR-15 STYLE OF SEMI-AUTOMATIC WEAPONS, AMONG OTHER COMMON SENSE GUN SAFETY REFORMS.

WHEREAS, the Mayor and City Council are troubled and saddened by the March 27, 2023 mass shooting at Covenant School in Nashville, Tennessee, killing three 9-year-old students and three adults;

WHEREAS, as a diverse and welcoming community, we are especially alarmed by the escalation of gun violence given that a significant portion of our residents, as a demographic, are the target of violence and hate;

WHEREAS, as reported by Jewish Federation of Cleveland, American Jews make up 2.4% of the U.S. population, and are on the receiving end of 55% of all religious hate crimes in the United States; that Jewish people are the target of fringe neo-Nazi hate amplified on the internet, such as the recent National Day of Hate on February 25, 2023; that the 2018 Tree of Life Synagogue shootings which left 11 dead and countless scarred in and beyond the Squirrel Hill neighborhood of Pittsburgh, was carried out by a white supremacist armed with an AR-15 assault rifle and at least three handguns; and

WHEREAS, according to the Federal Bureau of Investigation, 64.9 percent of the 8,052 reported hate crime incidents in 2020 were based on race, ethnicity or ancestry bias, and within that category, Black Americans made up more than half of the victims; as further reflected by F.B.I. data, the number of reported hate crimes against African Americans in 2020 was 2,871, up from 1,972 in 2019; that the racist slaughter of Black Americans in a Buffalo, New York grocery store on May 14, 2022 killing 10 and injuring 3 was by a white supremacist espousing “great replacement theory” and “white genocide theory,” and armed with a Bushmaster XM-15 AR-15 style semi-automatic rifle; and

WHEREAS, just last year on November 19, 2022, in Colorado Springs, a mass shooting at LGBTQ nightclub “Club Q” left five people dead and 25 injured, on the eve of the Transgender Day of Remembrance; that the accused (who is awaiting trial) is alleged to have used an AR-15 style of semi-automatic rifle; and

WHEREAS, we recently marked the 10 year anniversary of the Sandy Hook Elementary School shooting of December 14, 2012 in Newtown, Connecticut, where 26 people including 20 children between the ages of six and seven years old were killed by a 20-year-old gunman before turning a gun on himself; among the weapons used at Sandy Hook was a Bushmaster XM15-E2S AR-15 style semi-automatic rifle; that at a moment when then it seemed we might at last do something as a country, alas, our federal government failed to take action; and

WHEREAS, on August 4, 2019, in the Oregon District of Dayton, Ohio, a gunman shot and killed nine people, including his transgender brother, and wounded 17 others; the gunman was armed with an AR-15 style weapon; that at a moment when then it seemed we might as at least do something as a state, alas, our state government failed to take action; and

WHEREAS, on May 24, 2022, at Robb Elementary School in Uvalde, Texas, a mass shooting of 19 Latinx fourth graders and their 2 teachers at the hands of an 18-year-old armed with a Daniel Defense DDM4 V7 AR-15 style semi-automatic rifle, was the third-deadliest school shooting in the United States, after the Virginia Tech shooting of 2007 and the Sandy Hook Elementary School Shooting of 2012;

WHEREAS, the above are just a handful of examples of mass shootings; that as of March 28, 2023 there have been 131 mass shootings in the United States in 2023; that per the Kaiser Family Foundation the United States gun mortality rate for children and teens ages 1-19 years is 5.6 per 100,000, compared to 0.8 in Canada, 0.5 in France, 0.4 in Switzerland, 0.4 in Austria, 0.3 in Belgium, 0.3 in Sweden, 0.3 in Australia, 0.1 in Germany, 0.1 in Netherlands, 0.1 in United Kingdom, 0.1 in Japan; that in the United States, firearms is the leading cause of death among

children and teens, while in the other countries listed above motor vehicles or cancer are the leading causes of death among children and teens; and

WHEREAS, we condemn the violence committed against Jews, Blacks, Latinx, children, teachers, LGBTQ individuals, and against the general public at large going about their days in our schools, grocery stores, movie theaters, concert and entertainment venues and other public places; and

WHEREAS, we condemn the failure to act, together with the nihilism implied in the failure to act, and implicit in the words of those who claim that there is “nothing we can do” as a state or a country, or that this is “the price of freedom,” when free peoples and free nations around the world do not allow their children’s blood to be shed as we do in our state and country; and

WHEREAS, the Ohio General Assembly passed preemptive legislation during the 2006 lame duck session (overruling Governor Bob Taft’s veto) prohibiting local governments from enforcing regulations on guns, accessories, or ammunition, sweeping away 80-some local gun ordinances around the state of Ohio; this legislation being set forth in the Ohio Revised Code as 9.68; and

WHEREAS, the City of Cleveland challenged the law and lost; the City of Cincinnati challenged the law and lost; the City of Columbus is now challenging the law, and the State of Ohio Attorney General is now defending O.R.C. 9.68 in Fairfield County Court of Common Pleas; and

WHEREAS, our own City was challenged to remove the “no gun” signs from Purvis Park in 2017, leading to their removal by City Administration in 2018 under threat of litigation per O.R.C. 9.68; our parks are not safer as a result, even as we also then modified the park to add emergency exits so residents might flee in the event of an active shooter, and even as we increased police presence at certain pool events; and

WHEREAS, again we find ourselves wondering what can be done by we as local officials, when the state has tied our hands with O.R.C. 9.68, and so we now direct our state to fulfill its responsibility to protect our community consistent with our values.

NOW, THEREFORE, BE IT RESOLVED JOINTLY BY THE MAYOR AND CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, COUNTY OF CUYAHOGA, AND STATE OF OHIO, THAT:

Section 1. The Mayor and City Council of the City of University Heights call upon the government of the State of Ohio to take the following actions without delay in order to promote health, safety, and welfare in our community and in communities across Ohio:

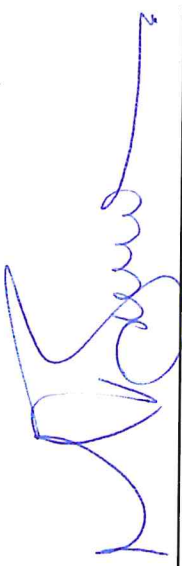
- a. Issue a statewide ban the sale, transfer, possession, and use of AR-15 and AR-15 style semi-automatic weapons;
- b. Require universal background checks for all purchasers of firearms, including transactions without a federally licensed dealer and at gun shows;
- c. Strengthen pink slip laws and implement strong red flag laws;
- d. Restore the requirement of a concealed carry course and an application process, and again require a permit for carrying a concealed weapon in the State of Ohio;
- e. Ban large capacity magazines with 30 rounds or more;
- f. Require the use of gun locks as a matter of safe storage of firearms in homes where children are present;
- g. Ban “straw sales,” where one person buys a gun for someone else who may be under a legal disability from owning or possessing a firearm;
- h. Require a cooling off period of at least three days before a person may receive a gun after making a purchase.

Section 2. Nothing in this legislation is intended to infringe upon the rights of people to lawfully and responsibly possess firearms; that in our nation of ordered liberty, we recognize that rights come with responsibilities, and that the right to bear arms carries the responsibility to ensure the public health, safety, and welfare of the community at large as well as the individual; that the right to live in a society, to go to school, to go to a place of worship, to go to a grocery store or movie theater or entertainment venue that is free of gun violence is at least as important as the right to possess and use a firearm defensively.

Section 3. 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the requirements of Section 121.22 of the Ohio Revised Code.

Section 4. The Clerk of Council is directed to forward a copy of this resolution to Governor Mike DeWine and Ohio Attorney General Dave Yost, together with all members of the Ohio General Assembly, including but not limited to: Representative Juanita Brent, Senator Kent Smith, House Speaker Jason Stephens, Senate President Matt Huffman, House Minority Leader Allison Russo, and Senate Minority Leader Nickie Antonio.

CITY OF UNIVERSITY HEIGHTS, OHIO



MICHAEL DYLAN BRENNAN, MAYOR

Passed: 06/05/2023

Attest: 
Kelly M. Thomas, Clerk of Council

Approved
as to form: Luke F. McConville, Law Director