

DELTA COUNTY BOARD OF COMMISSIONERS

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RESOLUTION # 20-02

DELTA COUNTY BOARD OF COMMISSIONERS

COUNTY OF DELTA

RESOLUTION TO DECLARE DELTA COUNTY TO BE A

“SECOND AMENDMENT SANCTUARY COUNTY”

THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DELTA, STATE OF MICHIGAN, STATES:

WHEREAS, the County Board of Commissioners of the County of Delta, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of Delta County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of Delta County and the employees of the Delta County government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S.570 (2008), affirmed an individual’s right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that “Every person has a right to keep and bear arms for the defense of himself and the state”; and
Delta County is an equal opportunity provider and employer.

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Delta County citizens' individual rights to keep and bear arms; and

WHEREAS, each Delta County Commissioner, as provided by Article IX, Section 1, of the Michigan Constitution (1963), took an oath to support the United States Constitution and the Michigan Constitution.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Delta County Board of Commissioners, that the County of Delta, Michigan, be, and hereby is, declared to be a "Second Amendment Sanctuary County."

IT IS FURTHER RESOLVED, that this Board affirms its support for the Delta County Sheriff and the Delta County Prosecuting Attorney, in the exercise of their sound discretion to not enforce against any citizen an unconstitutional firearms law.

BE IT, FURTHER RESOLVED, that the Board directs it's staff to forward a copy of this resolution to the County's fellow county elected officials, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congressmen.

This Resolution was adopted by the Delta County Board of Commissioners at a regular meeting held at the Delta County Board Chambers, Delta County Courthouse, Delta County, Michigan, by an affirmative vote of no less than 3 of the members of the County Board of Commissioners who are elected and serving, on this 4th day of February, 2020.

This Resolution was offered by Commissioner Moyle, and supported by Commissioner Tatrow.

A roll call vote was taken and this Resolution was passed by a vote of: 3 to 2

Those Commissioners voting in favor: Johnson, Moyle and Tatrow.

Those Commissioners voting against: Nelson and Rivard.

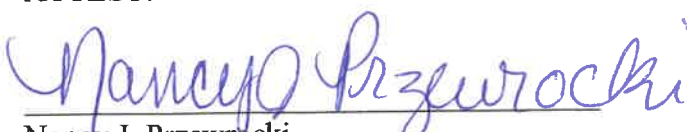
Those Commissioners abstaining: None

The Resolution Was Declared Adopted.



Patrick Johnson, Chairman
Delta County Board of Commissioners

ATTEST:



Nancy J. Przewrocki
Delta County Clerk

