



Legislation Details (With Text)

File #: Ord 23-22 **Version:** 2
Type: Ordinance **Status:** Passed
In control: City Council
Final action: 5/24/2023

Title: Amending Chapter 225 of the Saint Paul Legislative Code relating to weapons.

Sponsors: Rebecca Noecker, Russel Balenger, Amy Brendmoen, Mitra Jalali, Jane L. Prince, Chris Tolbert, Nelsie Yang

Indexes:

Code sections:

Attachments: 1. Public comments received before First Reading, 2. April 24 public comments, 3. April 25 public comments, 4. April 26 public comments, 5. April 27 public comment, 6. May 4 public comment

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|--|--------|
| 5/31/2023 | 2 | Mayor's Office | Signed | |
| 5/24/2023 | 2 | City Council | Adopted | Pass |
| 5/17/2023 | 1 | City Council | Amended and Laid Over for Final Adoption | Pass |
| 5/3/2023 | 1 | City Council | Laid Over to Final Adoption | Pass |
| 4/26/2023 | 1 | City Council | Laid Over to Final Adoption | Pass |
| 4/19/2023 | 1 | City Council | Laid Over to Second Reading | |

Amending Chapter 225 of the Saint Paul Legislative Code relating to weapons.

SECTION 1

WHEREAS, the epidemic of gun violence reaches communities in Minnesota, including the City of Saint Paul nearly every day; and

WHEREAS, every 19 hours, someone in Minnesota is killed by gun violence, with more than 460 Minnesotans dying yearly from gun violence; and

WHEREAS, each year approximately 351 people in Minnesota die by firearm suicide. When a person or child is at risk for suicide, it is important to create as much time and distance between them and the method as possible. If a firearm is safely stored and secured, it is less likely to be discharged or otherwise used during a moment of urgent, but temporary distress; and

WHEREAS, the availability and effectiveness of firearms greatly increases the risk of a fatal outcome, should someone attempt suicide. Storing firearms locked and unloaded, with ammunition stored separately, can be

an effective measure to reduce the risk of suicide by firearm discharge; and

WHEREAS, in addition to the vast physical and emotional impact of gun violence, the economic burden is overwhelming as well. The National Institute for Criminal Justice Reform calculates that the unit cost of a single gun-related homicide is just over \$1.2 million. A 2016 report by the Minnesota Coalition for Common Sense estimates the cost of lost tax revenue to the state due to firearm-related violence at \$72 million annually; and

WHEREAS, in the City of Saint Paul, injuries and homicides resulting directly and indirectly from firearms discharge have risen. In 2020, there were 191 gunshot wounds and 29 homicides; in 2021, there were 205 gunshot wounds and 30 homicides; and in 2022, there were 217 gunshot wounds and 32 homicides; and

WHEREAS, the following numbers of firearm incidents occurred in Saint Paul (any case involving the use or presence of a firearm where a report was written which includes assault, homicide, robbery, shots fired (where casings are recovered or weapons possession)) presenting heightened risk of firearms discharge: in 2020, there were 2033 firearm incidents, in 2021, there were 1888 firearm incidents, and in 2022, 1640 firearm incidents; and

WHEREAS, the number of firearm incidents occurring in Saint Paul schools is as follows: in 2020, (2), in 2021 (3) and in 2022 (8); and

WHEREAS, the number of firearms recovered in Saint Paul in 2020 was (660), in 2021, (639) and in 2022 (603); and

WHEREAS, in 2022, of the 603 firearms recovered by the Saint Paul Police Department, firearm theft from auto is the highest count for stolen firearms at 97, the second highest number was general theft of firearm at 53; and in the first two months of 2023, 13 firearms have been reported as theft from auto and general theft of a firearm is currently the highest at 14; and

WHEREAS, the number of confirmed shots fired calls for service (where a firearm is reported to be discharged) in the City of Saint Paul are as follows: in 2020, (1280 calls); in 2021, (2445 calls); and in 2022, (1280 calls); and

WHEREAS, the Council recognizes that Minnesota Laws allows certain firearms to be carried in public if the person has a valid permit to carry, and this ordinance amendment does not limit the lawful exercise of the permit to carry; and

WHEREAS, the Council supports gun safety requirements as an effort to save lives from multiple sources of violent firearms discharge, unintentional shootings, crime-related gun violence (facilitated by stolen guns),

suicide and other mass shootings; and

WHEREAS, the Council wishes to reinforce responsible gun ownership practices through safe gun storage, securing ammunition and including gun lock devices which can reduce and prevent the tragedies associated with the discharge of firearms left unsecured, by amending Chapter 225 of the Saint Paul Legislative Code, now, therefore, be it

RESOLVED, that the City of Saint Paul does hereby ordain:

SECTION 2

Section 225.01 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 225.01. -Definitions.

Loaded shall mean the firearm has ammunition in the chamber or magazine if the magazine is in the firearm.

Locking device shall mean a feature of a firearm or an external device that renders the firearm inaccessible or inoperable, or both. Locking device includes but is not limited to the following: a biometric lock; a trigger lock; a barrel lock; a cylinder lock; a gun vault; a locked cabinet; a locked box; or any other appropriate locked container where a key is kept separately or otherwise is not readily available to other person.

SECTION 3

Section 225.06 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 225.06. -Discharge of firearms.

b) *Acts deemed attempt to discharge firearm.* For the purposes of this section, any person who does any of the following acts is guilty of an attempt to discharge a firearm:

(7) The person negligently stores or leaves a loaded or unloaded firearm unattended in a location where the person knows, or reasonably should know, that another person who is not an authorized user is likely to gain access, including a vehicle, unless reasonable action is taken to secure the firearm against said access with a locking device.

(78) The person does any other act, with the intent to discharge a firearm, which constitutes a substantial step toward and is more than preparation for the discharge of a firearm.

SECTION 4

c) *Definitions.* For the purpose of this section, the following terms have the meaning given them:

(4) *Authorized user* means the owner of the firearm or a person who possesses the firearm with permission from the owner, who is at least 18 years old, and is not otherwise unauthorized by Minnesota law.

SECTION 5

This Ordinance shall take force and be in effect thirty (30) days following its passage, approval and publication.