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- 1 • 2013, Pocono, PA – A zoning official and two were residents shot
2 and killed at a municipal township meeting;
 - 3 • 2013, Ross Township, PA – A gunman went on a shooting rampage
4 at a public meeting of township supervisors in the municipal building, leaving
5 three people dead and three others injured;
 - 6 • 2014, Alturas, CA – Four people were shot and killed, and two others
7 were critically injured after a shooting at the Cedarville Rancheria Tribal Office
8 and Community Center;
 - 9 • 2015, San Bernadino, CA – Fourteen were shot and killed, and
10 twenty-two others were seriously injured at the County Health Department;
 - 11 • 2015, Newhope, MN – A man described as “disgruntled” with the
12 City, and whose “anger was bound to boil over” was shot and killed by police
13 after opening fire at a City Ceremony and wounding four people, including two
14 police officers;
 - 15 • 2017, Clovis, NM– Two people were shot and killed, and four others
16 were shot and wounded at the public library;
 - 17 • 2018, Masontown Borough, PA – Four people were shot and
18 wounded by a gunman who opened fire in a municipal building; and
- 19 WHEREAS, City business at the Albuquerque City Hall was disrupted on
20 two occasions during 2015 and 2016 due to firearm safety concerns; and
- 21 WHEREAS, matters before the City Council and its boards and
22 commissions can often include highly-emotional issues, highly contested
23 policy proposals and matters involving property, and prohibitions on
24 regulated activity, business licensing, alcohol sales and use; and
- 25 WHEREAS, City facilities are the locations where aggrieved citizens can file
26 complaints, and where hearings are held to adjudicate perceived grievances
27 relating to their local government; and
- 28 WHEREAS, public facilities and meetings serve a unique and important
29 purpose in our democracy – they can serve as forums for persons wishing to
30 engage with their government, including those wishing to express grievances
31 against the government and elected and appointed officials charged with
32 decision-making authority; and

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1 WHEREAS, an individual’s encounter in a government building or public
2 meeting is often limited to a few minutes or a defined term of a meeting at
3 most once every other week, and is not generally a significant portion of one’s
4 daily activity; and

5 WHEREAS, a study published in 2019 by the American Psychological
6 Association found that 53% of adults now fear a shooting in a public event and
7 33% say fear of a mass shooting prevents them from going to some public
8 places; and

9 WHEREAS, the same study found that this fear is more strongly placed in
10 Hispanic adults and approximately 47% of the City’s residents identify as
11 Latino or Hispanic; and

12 WHEREAS, absent reasonable regulations limiting the carrying and use of
13 firearms in our public facilities, the City is prohibited from inquiring into the
14 purpose of a person carrying a firearm into a public meeting or building where
15 public business is conducted unless or until the person begins shooting; and

16 WHEREAS, the City requires and relies on uninhibited public input on
17 matters of public importance, and fear of violence or engaging in city activities
18 or in city facilities decreases the civic health of our city; and

19 WHEREAS, the City has a compelling interest in protecting the public from
20 foreseeable safety threats at places that it makes available for public
21 purposes, especially where children and families gather for recreational,
22 educational, or any other purposes; and

23 WHEREAS, the City also has an interest in controlling and maintaining its
24 public resources, including its public facilities, in a safe and responsible
25 manner.

26 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
27 ALBUQUERQUE:

28 SECTION 1. A new Section “31” is added to Chapter 12, Article 2 ROA
29 1994, as follows:

30 “[§12-2-31. FIREARMS AT CITY FACILITIES.

31 (A) It is unlawful for any person to carry any firearm into any of the
32 following places:

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- 1 (1) Any City structure, building, or office space which is owned,
2 leased, or otherwise occupied by the City for purposes of hosting the public,
3 or conducting business with the public including but not limited to:
4 (a) City Hall,
5 (b) Any City Library;
6 (d) Any City Community Center; and
7 (e) Any City Park or Recreation Facility, with the exception
8 of Shooting Range Park.
9 (2) Any room hosting an open meeting of the city council, city board
10 or commission, or meeting of any other elected or appointed officials;
11 (B) The prohibition described in subsection “A”, above, becomes
12 effective only after the City has installed, or caused to be installed, clearly
13 visible notices at all public entrances that that firearms are prohibited, and
14 referencing this Section of the Revised Ordinances of Albuquerque.
15 (C) The provisions of this Section do not apply to any law enforcement
16 officer or any other official lawfully permitted to carry a firearm.]”

17 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
18 clause, word or phrase of this Ordinance is for any reason held to be invalid or
19 unenforceable by any court of competent jurisdiction, such decision shall not
20 affect the validity of the remaining provisions of this Ordinance. The Council
21 hereby declares that it would have passed this Ordinance and each section,
22 paragraph, sentence, clause, word or phrase thereof irrespective of any
23 provision being declared unconstitutional or otherwise invalid.

24 **SECTION 3. COMPILATION.** Section 1 of this Ordinance shall amend, be
25 incorporated in and made part of the Revised Ordinances of Albuquerque,
26 New Mexico, 1994.

27 **SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect five days
28 after publication by title and general summary.
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