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WESTON ORDINANCE TALKING POINTS

Storage requirements are unenforceable per District of Columbia v Heller.

- "Simply put, the State of New York and its agencies are no longer in a position to require that a handgun be stored in an inoperable condition or otherwise locked up if it is otherwise legally present in the owner's dwelling." - Judge Gary H. Weber - Colaiacovo v Dormer 2008

How can a magazine ban with arbitrary limits on the number of rounds be enforced?

- One magazine can hold either 30 .223 rounds or 10 .458 SOCOM rounds. (http://olegvolk.net/blog/2013/01/04/what-if-my-30rd-magazine-is-really-a-10-rounder/)
- A magazine is just a box with a spring in it. Easily manufactured by criminals bent on harm.
- A magazine that 'looks like' a 30 round magazine can hold more or less.
- If a spring on a magazine is wearing out and one more round can be stuffed in, does that violate such a law?
- Does the Town of Weston plan on paying for a fair value for every magazine banned? Otherwise, all existing magazines must be grandfathered. The Town of Weston does not have the power to enact ex post facto laws.
- The Office of Legislative Research found in 2011 that “a ban on large capacity magazines could directly cost the state more than $100 million.” This number is surely much higher now.
- Since there is no magazine registration, it is impossible to know how many magazines exist in the state, much less in Weston.

How can the Town of Weston enforce a ban on any weapons?

- The Town of Weston cannot enact ex post facto law, so therefore must purchase all firearms or grandfather all firearms.
- District of Columbia v Heller says 'those [firearms] in common use for lawful purposes' may not be banned.
- "It may be objected that if weapons that are most useful in military service – M16 rifles and the like – may be banned, then the Second Amendment right is completely detached from the prefatory clause. But as we have said, the conception of the militia at the time of the Second Amendment’s ratification was the body of all citizens capable of military service, who would bring the sorts of lawful weapons that they possessed at home." - District of Columbia v Heller (2008)
- Disarming law abiding citizens puts citizens in danger. It does not make them safer. The State of Connecticut has a terrible history of allowing criminals out of prison on plea deals and early release. Those criminals often go on to commit crimes even worse that of their original crimes. (The Cheshire home invasion is a good example of this)
- Simple logic dictates that banning these items in town makes the residents of the town less armed than the people who will be entering the town. This makes Weston a ‘soft target’.
- Stated purpose is that the 'use' of firearms or weapons might be dangerous, but goes on to ban possession. Why not an ordinance just against 'unlawful discharge' (which Weston already has)?
- Automatic firearms are already heavily regulated by state and federal law. What would a $500 ordinance accomplish that those laws are not already accomplishing?
- Registering all firearms in town puts a huge workload on the police department and a huge liability on the town to defend such laws.
- How are the police supposed to handle motorists and visitors to Weston that are carrying firearms?