



Written by [Alex Newman](#) on February 8, 2013

Counties and Cities Now Nullifying Gun Control

As [state lawmakers all across America craft nullification legislation](#) to defy unconstitutional federal gun-control schemes and [sheriffs openly vow to protect the Second Amendment](#) regardless of what Obama or Congress say, municipal and county governments are getting involved in the action, too. In fact, in recent weeks, several local governments have unanimously approved ordinances and resolutions nullifying any and all lawless restrictions on gun rights.



At least two counties so far, one in North Carolina and another in Indiana, recently adopted ordinances nullifying every infringement on the unalienable human right to keep and bear arms. Municipal governments are jumping on the bandwagon as well, with Gilberton Borough in Pennsylvania adopting on January 24 the “Second Amendment Preservation Resolution” [proposed by liberty-minded Police Chief Mark Kessler](#).

Analysts and activists, meanwhile, expect that trend to continue accelerating as extremists in Washington, D.C., and some state capitals openly threaten to impose further violations of the Constitution in defiance of their oath of office. Nationwide, activists are applauding officials at all levels of government who are rising up and putting their foot down, vowing to defend the Second Amendment rights of Americans no matter what decrees or pretended acts of legislation may be issued to the contrary.

Most recently, commissioners in Franklin County, Indiana, [voted unanimously](#) this week to approve the “Second Amendment Preservation Ordinance.” The popular measure exempts all law-abiding residents of the southeastern Indiana county from unconstitutional federal gun control, including past, current, and future restrictions, according to the text of the strongly worded ordinance.

“All federal acts, laws, orders, rules or regulations regarding firearms are a violation of the 2nd Amendment,” reads the simple but powerful measure. “It shall be the duty of the Sheriff of this County to take all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States.”

Hundreds of sheriffs nationwide, of course, have already openly announced their intention to defy any federal restrictions on gun rights, and a [powerful new coalition just formed to recruit even more](#). Echoing state-level nullification efforts that are spreading like wildfire across America, the county ordinance in Indiana goes on to explain in clear language the rationale behind the lawful resistance: Unconstitutional infringements on unalienable rights are totally illegitimate and must be treated as such.

“The Franklin County Board of Commissioners declares that all federal acts, laws, orders, rules, regulations — past, present or future — in violation of the 2nd Amendment to the Constitution of the United States are not authorized by the Constitution of the United States and violate its true meaning and intent as given by the Founders and Ratifiers,” the county law states. Therefore, all such measures



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“are hereby declared to be invalid in this county, shall not be recognized by this county, are specifically rejected by this county, and shall be considered null and void and of no effect in this county.”

Analysts [noted](#) that the ordinance represents “an extremely strong stand” in defense of the Second Amendment. And that is exactly what county commissioners intended. “The citizens of Franklin County take the Constitution seriously and the State and Federal government need to do so as well,” said County Commissioner Scott McDonough, who joined all of his fellow commissioners voting in favor of the powerful stand against lawless tyranny. A legal expert quoted by the Associated Press said the law is legitimate unless and until it is successfully challenged in court.

Last month, meanwhile, Beaufort County, North Carolina, became the first county in America to officially nullify restrictions on the Second Amendment. In a unanimous vote, the board of commissioners approved a resolution calling on the governor and the state legislature to “immediately pass an act to nullify the implementation within the State of North Carolina of any federal law, executive order or regulations restricting the right to keep and bear arms.”

The wildly popular resolution, which became an instant sensation among liberty-minded Americans, also ensures that county officials are prohibited from supporting any effort to infringe on the rights of law-abiding citizens. Among other actions, the measure directs the county manager to prohibit the use of county officials and resources from participating in the implementation of any federal “law,” executive order, or directive that would infringe on the people’s right to keep and bear arms.

“Enthusiasm from the community was high,” [explained](#) an announcement from the Tenth Amendment Center, a non-partisan organization that works to nullify unconstitutional usurpations of power by the federal government. Representatives from the North Carolina TAC reported that the “room was packed,” the crowd was “overflowing out into the hall,” and two local TV stations were on hand to report the news. “All politics [are] local? Correction. All *successful* politics are local,” the pro-nullification group pointed out.

At the municipal level, facing a tidal wave of national support, the Gilberton Borough Council in Pennsylvania [adopted a similarly tough resolution](#) protecting the gun rights of local residents. Police Chief Mark Kessler, one of the first law enforcement officials to speak out strongly against Obama’s lawless gun-control machinations in the wake of the massacre in Connecticut, urged local officials to act promptly in defense of citizens’ rights.

“Hopefully this will spread like fire throughout the country, and the people will stand up and say, you know what, enough is enough, and under the Tenth Amendment, which grants the power of nullification of unconstitutional laws, we’re going to recognize this as unconstitutional, we’re not going to enforce it, we’re going to make sure this doesn’t happen,” Chief Kessler [told](#) *The New American* in an interview, adding that the Second Amendment was clear. “We want to do this peacefully, we don’t want any kind of violence whatsoever — I’m totally against that — I just want to see a peaceful resolution to this. And under the Tenth Amendment, hopefully we can accomplish this through the nullification process.”

Like the county ordinances in Indiana and North Carolina, the Gilberton resolution “recognizes that all federal, state or local acts, laws, orders, rules, regulations — past, present or future — in violation of the 2nd Amendment to the Constitution of the United States and/or Section 21 of the Constitution of Pennsylvania are not authorized by the Constitution of the United States and/or the Constitution of Pennsylvania and violate its true meaning and intent as given by the Founding Fathers and Ratifiers.”

As such, any unconstitutional restrictions “are hereby declared to be invalid within Gilberton Borough



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and all of its boundaries, and shall not be recognized by this Council and are specifically rejected by the Borough of Gilberton within all of its boundaries within the state of Pennsylvania, and shall be considered null and void and of no effect in the Borough of Gilberton within the state of Pennsylvania.”

Gun rights activists nationwide, unsurprisingly, celebrated the county and local nullification victories as a major success, and a harbinger of more lawful resistance to come. As the chief law enforcement officers in their counties, meanwhile, [sheriffs in virtually every state have already stood up](#) and publicly said they will refuse to enforce unconstitutional laws — in Utah [28 out of 29 sheriffs](#) vowed to give their lives in defense of the Second Amendment — and many have also [vowed to stop any federal agent](#) trying to enforce such measures.

“Anytime that they come against the Second Amendment, or try to say ‘we’re going to do this or we’re going to do that,’ well we here are not going to comply with that,” Jackson County, Kentucky, Sheriff Denny Peyman, one of the first to speak out publicly, [told The New American](#). “It goes back to us being a sovereign state, it goes back to the way our system is set up — with myself being the chief law-enforcement officer here — federal agents will not be allowed to come in here and do that.”

At the state level, well over a dozen state legislatures are [working on nullification legislation](#) to prohibit unconstitutional gun control, too. More than a few of those bills [have teeth](#), making it a felony punishable by years in prison for any government official, including federal agents, to seek enforcement of infringements on the right to keep and bear arms. In Wyoming, for example, the state House [just approved](#) the “Firearms Protection Act” [nullifying new gun control](#) and making it a crime for anyone to try to enforce it.

The Obama administration and some extremist Democrats in Congress may still [believe they can violate their oath of office by trying to restrict Americans’ gun rights](#). Analysts, however, say it has become clear that the gun grabbers unwittingly [awoke a sleeping giant](#), and the [brave actions of state and local officials](#) are just the beginning. In fact, more than a few gun rights advocates are [already predicting](#) that the whole anti-Second Amendment movement is about to be [crushed so devastatingly](#) that it will become irrelevant for generations to come.

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