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Burlington residents talk gun control: Burlington residents spoke at a public forum on gun control before the start of Monday's Burlington City Council meeting at Contois Auditorium.

Written by April Burbank Free Press Staff Writer

The Burlington City Council on Monday voted to approve three of four resolutions regulating gun possession.

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The three charter changes would allow police to seize firearms in cases of suspected domestic abuse, require safe gun storage using trigger locks or locked containers and prohibit firearms in bars and other establishments with liquor licenses. A fourth provision, which would have created a permit system for concealed carry of guns, did not pass a Council vote.

City Councilor Paul Decelles, R-Ward 7, opposed the first two resolutions after attempting to amend them to become "advisory questions" — essentially polling the residents of Burlington on their

views — rather than charter changes. City Councilor David Hartnett, D-Ward 4, joined Decelles in opposing the "safe storage" resolution. Details of votes for the remaining two resolutions were not immediately

read the resolutions:

ice seizure of firearms during domestic abuse incident (PDF): <http://bit.ly/BTVDomesticAbuse>
Safe storage of firearms (PDF): <http://bit.ly>

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Jean Markey-Duncan (right) of Burlington, who earlier spoke out against guns in Burlington, listens as residents raise their hands in support of a pro-gun speaker at a public forum in advance of four Burlington City Council resolutions that would regulate gun possession. / EMILY McMANAMY/FREE PRESS

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An hour-long public forum before the meeting was packed with both supporters and opponents of the proposed charter changes. The crowd was divided by color: Many of the opponents wore "hunter orange" hats and vests, while attendees connected with a pro-gun-law group called Gun Sense Vermont wore green shirts.

Some of the attendees said that the city did not have the legal authority to regulate weapons, citing Vermont statute and the U.S. Constitution and expressing a concern that Burlington would set a precedent for gun-related changes throughout the state.

"I'm here tonight because this affects me," said Ed Garcia of St. Johnsbury. "Vermont law is clear. You don't get to make your own gun laws.... I promise you that you're in for a huge fight. I promise you that you will lose."

Councilor Norman Blais, D-Ward 6, a member of the Charter Change Committee, responded later in the meeting.

"Any suggestion that what we're doing is illegal is just wrong," Blais said. "For someone to suggest this evening that what is being proposed is not reasonable regulation, I don't think they're facing up to the reality of what we're talking about."

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Supporters of the proposed measures expressed concerns about public safety, citing particular concerns for the safety of children and people involved in situations of domestic abuse.

“Vermont is a state with a strong hunting culture,” said Mary Sullivan of Burlington. “This in no way undermines that at all. This is just about common sense.”

State Rep. Jean O’Sullivan, D-Burlington, spoke in support of the resolutions.

“I look forward to actively supporting them on the ballot, and I really look forward to actively supporting them down in the legislature,” Sullivan said.

Just before the forum began, Burlington Mayor Miro Weinberger announced that he supported all of the measures except the creation of a concealed-carry permit.

The mayor said he also opposed a local ban on semiautomatic, large-capacity assault-type rifles, which had been discussed in the City Council but was not among the resolutions considered Monday night.

“After careful consideration, I have decided to oppose a local assault weapons ban and creation of a new City concealed carry permit because I doubt the effectiveness of these measures and because these two particular reforms would create a patchwork of local regulation that would be problematic for responsible Vermont gun owners,” Weinberger said in a statement.

Weinberger said in an interview that his opposition to a local assault weapons ban did not change his involvement in the national Mayors Against Illegal Guns group, which seeks to keep “military-style weapons” and high-capacity magazines off the



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streets.

"I stand by that prior statement, the prior commitment, signing onto those measures," Weinberger said. "Those were about national legislation."

Burlington Police Chief Mike Schirling said in the statement from the Mayor's Office that he also supported the three measures that Weinberger supported.

"The proposed Charter Changes on domestic violence reform, prohibiting guns in bars, and safe storage provide helpful new tools for law enforcement," Schirling said.

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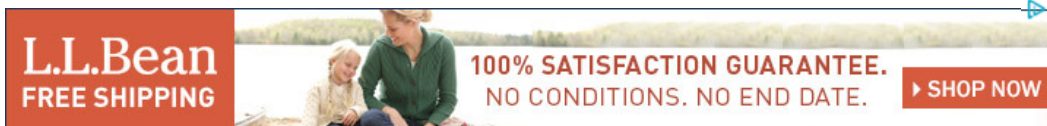
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In January, the City Council voted 10-3 to refer a proposed assault weapons ban to the three-member Charter Change Committee, which later dropped the ban but crafted the four resolutions to address other gun-related concerns.

Blais was one of the sponsors of the original assault-weapons ban and the only member of the committee who voted to retain it earlier this month. Siegel and Ayres reasoned that removing the assault-weapons ban would give the other provisions a better chance of passage at the city and state levels.

Each resolution stated that it addressed “a serious risk to public health and safety, particularly within the concentrated, urban population of the City of Burlington.” Anyone in violation of the charter changes, if passed as presented, may be required to forfeit the gun or guns involved in the violation in addition to civil and criminal penalties.

Blais and Charter Change Committee members Rachel Siegel, P-Ward 3, and Tom Ayres, D-Ward 7, sponsored three of the proposed charter changes. The resolution that would require a permit for concealed weapons was sponsored by Siegel and Blais.

The charter changes passed by City Council are expected to be fine-tuned by the Charter Change Committee and return to the City Council for public hearings. The measures would then need to be accepted by voters in March and approved by the state Legislature.

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James Robert

First off, Mr. Blais, what you are doing is illegal under 24VSA 2295. The state passed a law in 1988 that expressly prohibits towns from directly regulating firearms and ammunition. Passing these resolutions is in direct violation of that law. Secondly, mandatory locking of firearms in the home is a direct violation of my Article 16 rights in the VT State Constitution, which states that I have the right to bear arms for self defense. I can not protect myself or my family in the case of violent intrusion if my guns are unloaded and locked up. I must also state, that when talking to the councilors last night, they refused to listen to what the law says, and I even had my own representative throw his hands up in the air, grumble, and walk away saying, "I can't talk with you people". Apparently the law is just an inconvenience for their agenda, and so they will choose to ignore it. Thirdly, Ms. O'Sullivan, you can not support this in the legislature, because the law applies to you as well. It is strictly in the legislature's purview to regulate firearms, not the city councils, read the law. And to all of the supporters of these resolutions who say, "these are simple common sense measures" is not a legal argument about the law, it is about your feelings and opinions. You are entitled to your opinion, but you can not force your opinion on me through unlawful resolutions from an agenda driven city council.

Reply · 18 · Like · Yesterday at 4:17am



James Robert

Here is the Vermont law that prohibits the council from passing these resolutions (which they obviously ignored): <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=24&Chapter=061&Section=02295>

And here is the VT State Constitution, look under article 16: <http://www.leg.state.vt.us/statutes/const2.htm>

Reply · 9 · Like · Yesterday at 4:21am



Judy Senesac · Burlington, Vermont

BRAVO BRAVO BRAVO!!!

Reply · 4 · Like · 23 hours ago



Ron Epsen · Top Commenter · South Burlington, Vermont

James Robert, I guess you missed the part of 24 V.S.A. s. 2295 providing "This section shall not limit the powers conferred upon a town, city or incorporated village under section 2291(8) of this title." Of course, section 2291(8) DOES allow a municipality to regulate firearms.

But, nice rant anyway.

Reply · 1 · Like · 19 hours ago

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Dave Yergeau

So if I can legally possess a gun in every other part of the state because it is the right the State of Vermont grants me as a citizen, but I have to get a permit for the city of Burlington, what will come next? How about I have a license to drive a car in every other place in the state, because the State has granted me that right, but I will have to get a permit to drive a car in Burlington?

This kind of mentality is completely absurd! If the State of Vermont has deemed gun ownership legal in the State of Vermont, maybe Burlington should just cut to the chase and secede from the State of Vermont!

Reply · 15 · Like · October 21 at 4:41pm



Doug Cutler · Works at Cutler Custom Cycle Fabrication

well said!

Reply · 4 · Like · October 21 at 6:11pm



Tim Vincent · Top Commenter · Retired at Wall Street - New York City

Not a bad idea.

Formalize Chittenden county vs. Vermont. EXCEPT that would put 2 more socialists in the US Senate.

Reply · 1 · Like · 17 hours ago



Justin Jd Jackson · Top Commenter · Castleton

I certainly will not lock my carry weapon when I am at home and there is nothing they can do to force me to! The gun violence in Burlington has nothing to do with the proposed measures that these regulations would create, Say you make Burlington residents get permits to carry, force gun locks and ban concealed carry on church street, you think the drug dealers, wife beaters or any other malcontent will leave their guns at home? I carry to protect others and myself from the very people who don't give a damn what the laws are. Is it not already illegal to shoot someone with a firearm for no reason? Last time I checked attempted murder is a serious charge, yet you see attempted murders on the news every single day. Drugs are illegal and it doesn't stop 15% of my fellow Vermonters from doing them. Here is the deal, I carry all the ... [See More](#)

Reply · 12 · Like · October 21 at 5:42pm



Justin Jd Jackson · Top Commenter · Castleton

If I cant carry somewhere, than the cops shouldn't be able to either. Cops are not above the law and I am pretty sure (at least this year) cops have shot more innocent Vermonters than non-criminal civilians who conceal carry in the state.

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