

RESOLUTION NO. 59-21

AFFIRMING THE CONSTITUTIONAL RIGHTS OF THE CITIZENS OF GRAND JUNCTION, COLORADO

RECITALS:

The United States Constitution states that it and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

The Constitution and the first 10 amendments to it, commonly known as the Bill of Rights provides important limitations on the government. The Bill of Rights is unique in that it is a statement of “negative liberties”— a statement of what the government will not do - which protects the fundamental rights of United States citizens from government infringing on freedom of religion, speech, the press, assembly; the right to petition the government for redress of grievances; the right to keep and bear arms, among other rights, and protection from unreasonable search and seizure, criminal prosecution and punishment without due process; and guarantees a speedy trial by a jury of one’s peers, among other protections.

Article II of the Colorado Constitution, in 25 sections, comprises Colorado’s Bill of Rights. Article II vests all power in and acknowledges that the same is derived from the people and that all government of right originates from the people, is founded upon their will and is instituted solely for the good of the whole.

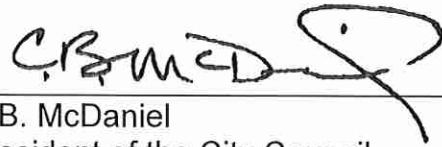
The Charter of the City of Grand Junction is the City’s constitution. The Charter is derived under the authority of the Colorado Constitution, principally Article XX, Section 6. Those provisions establish the Colorado Constitution as organic law of the City that in whole and in part extend to all municipal matters.

While the City Council firmly acknowledges and affirms the fundamental rights and protections held by the people of the City, and the people derive benefits from Constitutional rights, including life, liberty, property, and other economic benefits, the City Council has shared authority with the State and limited, if any authority with the Federal government.

Accordingly, and although the City Council recognizes, supports and affirms that all Constitutional rights and protections are of utmost importance to the citizens of Grand Junction, and that the City Council does not value any one person’s constitutional rights or protections above another person’s, the City Council has no lawful power or basis to declare Grand Junction as a Constitutional sanctuary as has been petitioned recently by certain persons. The City Council has faith in the Constitution and the people that support and abide by it and each Councilmember affirms his or her oath of office, and on behalf of the City pledges to uphold the United States Constitution, the Colorado Constitution, and the Charter and ordinances of the City of Grand Junction.


NOW, THEREFORE, BE IT RESOLVED that the City Council expresses its support for the peaceful assembly of persons, the right for the same to peacefully and lawfully petition the government for redress of grievances and for each and every person to lawfully benefit from any and all rights or protections provided to the people by the United States Constitution and the Bill of Rights, the Colorado Constitution, and the Charter of the City of Grand Junction, Colorado.

PASSED AND APPROVED this 21st day of July, 2021.



C.B. McDaniel
President of the City Council

ATTEST:


Wanda Winkelmann
City Clerk