

## MEMORANDUM

To: Alex Taylor  
From: Duncan J. Forsyth  
Date: January 26, 2026  
Re: Proposed Firearms Ordinance  
Our File No. 17996.1

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We have at your request reviewed the draft Firearms Ordinance and whether, as drafted, it posed any constitutional or statutory challenges. With regard to any Second Amendment issues, the United States Supreme Court has stated: “Like most rights, the right secured by the Second Amendment is not unlimited. [It is] not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” District of Columbia v. Heller, 554 U.S. 570,626 (2008). Furthermore, certain reasonable time, place and manner regulation will be deemed reasonable provided they do not “significantly impair the right to possess a firearm for self-defense” or might impose an “appreciable burden on Second Amendment rights.” See, U.S. v. Decastro, 682 F.3d 160, 165 (2<sup>nd</sup> Cir. 2012), citing District of Columbia v. Heller, 554 U.S. 570 (2008). Thus, the reasonable regulation of weapons for legitimate safety reasons, and which are narrowly crafted, would likely pass constitutional muster.

While 100% certainty in this area is never a guarantee, the attached draft ordinance appears to be defensible to any constitutional, or statutory, challenge.

We hope this addresses the issue at hand. If you have any additional questions, please do not hesitate to contact us.