

CITY OF FALCON HEIGHTS
City Council Special Workshop
City Hall
2077 West Larpenteur Avenue

AGENDA

Wednesday, October 22 2025
7:30 P.M.

- A. CALL TO ORDER:

- B. ROLL CALL: GUSTAFSON___ LEEHY___
 MEYER ___ MIELKE___ WASSENBERG___

 STAFF PRESENT: LINEHAN___

- C. POLICY ITEMS:
 - 1. Minnesota Cities Gun Violence Prevention Discussion

- D. ADJOURNMENT:

DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to mail@falconheights.org prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.



REQUEST FOR COUNCIL ACTION (RCA)

Meeting Date	October 22, 2025
Agenda Item	Policy C1
Attachment(s)	St. Paul Ordinance
Submitted By	Jack Linehan, City Administrator

Item	Minnesota Cities Gun Violence Prevention Discussion
Description	<p>St. Paul Mayor Melvin Carter has reached out to elected leaders in metro cities asking municipalities to join St. Paul in an ordinance aimed at reducing gun violence. St. Paul will introduce an ordinance at their October 22nd meeting with five stipulations:</p> <ul style="list-style-type: none"> • Ban the public possession of assault weapons, large-capacity magazines, and binary triggers within city limits • Prohibit untraceable “ghost guns,” by requiring all firearms to have serial numbers • Restrict firearms in sensitive public spaces, such as parks, libraries, recreation centers, and city buildings • Require clear signage in public facilities to inform residents of restrictions and encourage compliance • Define enforcement authority and penalties – to take effect only if the state repeals or amends preemption law <p>The cities of Minneapolis, Bloomington, Brooklyn Center, Columbia Heights, Eden Prairie, Edina, Golden Valley, Hopkins, Mendota Heights, Minnetonka, Mounds View, Richfield, Rochester, Shoreview, Saint Louis Park, Stillwater, and West Saint Paul have indicated they will join St. Paul in advocating for similar ordinances.</p> <p>This will be an opportunity for the City Council to discuss the request. City Attorney Andrea McDowell-Poehler will be present to answer questions on the statutory authority the City of Falcon Heights may have as a Plan A statutory city.</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • St. Paul Ordinance 25-65
Action(s) Requested	The City Council is requested to discuss and provide guidance to Staff.



Legislation Text

File #: Ord 25-65, **Version:** 1

Creating Chapter 225A of the Legislative Code titled Firearms Regulations to establish regulations for Assault weapons, Binary triggers, Ghost guns and Signage.

SECTION 1

WHEREAS, Mayor Melvin Carter and municipal leaders from across Minnesota have called on state lawmakers to take urgent legislative action on gun violence prevention, or else to allow cities to lead; and

WHEREAS, state preemption laws currently prohibit cities from enacting common-sense gun violence prevention ordinances to regulate firearms, ammunition, and its related components; and

WHEREAS, a coalition which includes mayors and city officials from Saint Paul, Minneapolis, Bloomington, Brooklyn Center, Columbia Heights, Eden Prairie, Golden Valley, Hopkins, Minnetonka, Mounds View, Richfield, Rochester, Shoreview, Saint Louis Park, Stillwater, and West Saint Paul has proposed local ordinances empowering municipalities to protect communities and children from gun-violence; and

WHEREAS, the proposed local ordinances would:

- ban assault weapons, large-capacity magazines, and binary triggers within city limits;
- require all firearms to have serial numbers and prohibit untraceable “ghost guns;”
- restrict firearms in sensitive public spaces including parks, libraries, recreation centers, and city buildings;
- mandate clear signage at public facilities to inform residents and encourage compliance;
- establish penalties for violations and authorize enforcement by local public safety officials; and

WHEREAS, the proposed ordinance is designed to take effect only upon the repeal, amendment, or judicial invalidation of state preemption laws that currently prohibit local regulation of firearms, ensuring legal enforceability while signaling the city’s readiness to act when empowered; and

WHEREAS, the number of firearms recovered in Saint Paul in 2020 was (660), in 2021, (639), in 2022 (603), in 2023 (633), in 2024 (628), and in 2025 as of October (442); and

WHEREAS, every 19 hours, someone in Minnesota is killed by gun violence, with more than 460 Minnesotans dying yearly from gun violence; and

WHEREAS, gun violence is the No. 1 cause of death for our children, and the costs of injury and prevention in Minnesota alone exceeds \$6 billion annually; and

WHEREAS, The National Institute for Criminal Justice Reform calculates that the unit cost of a single gun-related homicide is just over \$1.2 million; and

WHEREAS, a 2016 report by the Minnesota Coalition for Common Sense estimates the cost of lost tax revenue to the state due to firearm-related violence at \$72 million annually; and

WHEREAS, the authority to act locally to protect our children, residents, and communities is long overdue; and

WHEREAS, the epidemic of gun violence reaches all communities in Minnesota, including the City of Saint Paul; and

WHEREAS, the City of Saint Paul, alongside cities from across Minnesota calls for immediate state and federal action on gun violence prevention-including the repeal of state firearms preemption laws-and is committed to acting as a strong partner in the statewide coalition to advance and implement local gun violence prevention ordinances when legally permitted to do so.

NOW, THEREFORE BE IT RESOLVED by the Saint Paul City Council:

SECTION 2

CHAPTER 225A Firearms Regulations

Sec. 225A.01 Definitions.

For purposes of this Chapter, the following definitions must apply:

Assault weapon has the same meaning as a “Semiautomatic military-style assault weapon” as defined in Minnesota Statutes section 624.712, subd. 7, as amended, and as referenced in 624.712, subd. 8, as amended.

Assemble, Assembles, Assembled means to join, fit together, convert, restore, manufacture, construct, or otherwise complete parts or components so that they become or could become a functional Firearm.

Binary trigger means any device, mechanism, or part designed, marketed, or intended to cause a Firearm to discharge one round when the trigger is pulled and to discharge an additional round when the trigger is released, including devices commonly known as Binary triggers, “two-stage” firing devices that produce this effect, and any conversion kit, component, or accessory that enables such functionality.

City means the City of Saint Paul, Minnesota.

Conspicuous means lettering in black, Arial typeface, at least one to one-half (1-1½) inches in height, against a bright contrasting background that is at least 187 square inches in area.

Firearm has the same meaning provided for under Minnesota law.

Frame or Receiver has the same meaning as in Minnesota law and includes any part that provides housing for the hammer, bolt, or breechblock and is designed to be readily completed, converted, or Assembled into a functional Firearm.

Ghost gun means:

- (1) A Firearm that does not bear a serial number; or
- (2) A Firearm manufactured, Assembled, or constructed from parts, kits, or partial Receivers that are Unserialized and that are designed, marketed, or intended to be completed into a functional Firearm; or
- (3) A Frame or Receiver that is not marked with a serial number by a manufacturer that is otherwise designed or marketed to be readily completed, Assembled, or converted into a functional Firearm (including but not limited to unfinished, partially machined, or 80% Frames/Receivers and similar items); or
- (4) A Firearm manufactured, Assembled, or constructed from 3D-printed parts, kits, or partial Receivers that are Unserialized and that are designed, marketed, or intended to be completed into a functional Firearm.
- (5) "Ghost gun" does not include firearms manufactured prior to 1968, antique firearms as defined in 18 U.S.C. 921(a)(16), or firearms rendered "permanently inoperable." For the purpose of this section, a firearm is rendered "permanently inoperable" if it is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition. The determination of whether restoration is "readily" possible shall consider the time, ease, expertise, equipment, parts availability, expense, scope of change required, and feasibility of restoration.

Large-capacity magazine means:

- (1) Any ammunition feeding device that can accept more than twenty (20) rounds, including any device that can be readily restored or converted to accept more than twenty (20) rounds.
- (2) This does not include
 - (i) a tubular magazine that is contained in a lever-action Firearm; or
 - (ii) a .22 caliber fixed tubular magazine.

Person means any individual, partnership, corporation, association, or other legal entity.

Possess, Possessed, or Possession means actual physical possession or constructive Possession of the item referenced in the Ordinance in which the term is used. Both "actual Possession" and "constructive Possession" shall have the same meaning provided for under Minnesota law.

Prominently means readily visible and within four (4) feet laterally of the public entrance and affixed to the building or attached to a post for outdoor locations, with the bottom of the sign at a height of four (4) to six (6) feet above the floor.

Sensitive place means any City-owned, -leased, or -controlled building or property that is open to the public for governmental, educational, recreational, cultural, or civic purposes, including but not limited to City Hall and City offices, libraries, recreation centers, indoor and outdoor park spaces and park buildings, playgrounds, athletic facilities, arenas, and zoos.

Unserialized means lacking a serial number imprinted by: (1) a federal Firearms manufacturer, federal

Firearms importer, federal Firearms dealer, or other federal licensee authorized to provide marking services, pursuant to a requirement under federal law; or (2) a federal Firearms dealer or other federal licensee authorized to provide marking services.

Sec. 225A.02. Chapter Effective Upon Contingent Events.

Pursuant to Minnesota Statutes § 471.633 (state preemption of local Firearms regulation), this Chapter and its constituent Ordinances are contingent and shall not take effect, nor be enforced, unless and until the earliest of the following occurs:

(a) The repeal of Minn. Stat. § 471.633; or

(b) The passage of any Minnesota law that is substantially the same as any part of this ordinance or otherwise affirmatively authorizes municipalities to enact and enforce substantially similar regulations.

Upon the occurrence of either condition, this Chapter and its constituent Ordinances shall be effective immediately, without further action by the City Council, and any language herein must be deemed conformed to the substantially similar state law to the extent required for consistency.

Sec. 225A.03. Severability.

If any clause, sentence, section, or provision of this Chapter, or any ordinance contained herein, is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such holding must not affect the remaining provisions of this Chapter and the ordinances contained herein, which must remain in full force and effect.

Sec. 225A.04. Enforcement.

The Chief of the Saint Paul Police Department, or the Chief's designee, is authorized to enforce this Chapter and its constituent Ordinances. In addition, any duly appointed federal law enforcement officer, or other individual sworn as a peace officer under Minnesota law, is authorized to enforce this Chapter. Enforcement shall be by criminal prosecution as authorized by law.

Sec. 225A.05. No Private Right of Action. Nothing in this Chapter creates a private right of action.

Sec. 225A.06. Forfeiture. In the event of a violation of any provision of the Chapter and its constituent Ordinances, the City retains the legal right to take Possession of any and all items prohibited by this Chapter as contraband, in addition to all criminal prosecution, and any other rights and remedies available to the City under applicable law.

Sec. 225A.07. Prohibition on Assault Weapons and Large-Capacity Magazines.

(a) Assault Weapons and Large-Capacity Magazines Prohibited. Except as provided in section 7(d), it shall be unlawful for any Person to:

(1) Possess, transport, store, keep, or carry within the City any Assault weapon;

(2) Possess, transport, store, keep, or carry within the City any Large-Capacity magazine;

(3) Manufacture, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Assault

weapon within the City; and

(4) Manufacture, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Large-Capacity magazine within the City.

(c) Penalties. Any Person who violates Section 7(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues must be counted as a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(d) Exceptions. The prohibitions in Section 7(a) must not apply to:

(1) Active or reserve, federal, state, county, or municipal law enforcement officers, or members of the armed forces of the United States (including National Guard and reserves), if the officer or member is qualified and acting within the scope of their official duties;

(2) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;

(3) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;

(4) A Person who is transporting an Assault weapon or Large-Capacity magazine through the City provided that the weapon is unloaded and in a locked container, and the transport complies with all applicable state and federal laws;

(5) A Person engaged in the transfer of Possession of an Assault weapon or Large-Capacity magazine to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Sec. 225A.08. Prohibition on Binary Triggers.

(a) Binary Triggers Prohibited. Except as provided in Section 8(c), it shall be unlawful for any Person to:

(1) Possess, transport, store, keep, or carry within the City any Binary trigger;

(2) Manufacture, import into the City, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Binary trigger within the City.

A Person who installs, Assembles, or uses a Binary trigger on a Firearm within the City must be deemed to Possess the Binary trigger for purposes of this Chapter and the ordinances contained herein.

(b) Penalties. Any Person who violates section 8(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days or both. Each day a violation continues must constitute a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) Exceptions. The prohibitions in section 8(a) shall not apply to:

(1) Active or reserve, federal, state, county, or municipal law enforcement officers, or members of the armed forces of the United States (including National Guard and reserves), if the officer or member is qualified and acting within the scope of their official duties;

(2) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;

(3) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;

(4) A Person who is transporting a Binary trigger through the City provided that any Firearm equipped with such a Binary trigger is unloaded and in a locked container, and the transport complies with all applicable state and federal laws;

(5) A Person engaged in the transfer of Possession of a Binary trigger to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Sec. 225A.09. Prohibition on Ghost Guns.

(a) Ghost Guns Prohibited. Except as provided in section 9(c), it shall be unlawful for any Person to:

(1) Possess, transport, store, keep, or carry within the City any Ghost Gun;

(2) Manufacture, Assemble, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Ghost Gun within the City;

(3) Assemble an unfinished or partially made Frame or Receiver that is Unserialized into a Firearm within the City.

A Person who installs, Assembles, or uses an Unserialized Frame, Receiver, or kit on or in a Firearm within the City must be deemed to Possess that Ghost Gun for purposes of this Chapter and the ordinances contained herein.

(b) Penalties. Any Person who violates section 9(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues shall constitute a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) Exceptions. The prohibitions in Section 9(a) shall not apply to:

(1) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;

(2) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;

(3) A Person who is transporting a Ghost Gun through the City provided that any such Ghost Gun is

unloaded, in a locked container, and the transport complies with all applicable state and federal laws;

(4) A Person engaged in the transfer of Possession of a Ghost Gun to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Sec. 225A.10. Prohibition on Firearms in Sensitive Places.

(a) Firearms prohibited in Sensitive places. Possession of any Firearm in any Sensitive place within the City is prohibited.

(b) Penalties. Any Person who violates section 11(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues must be counted as a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) Exceptions. The prohibition shall not apply to:

(1) Firearms carried by authorized City personnel in the course of their official duties;

(2) Persons who are otherwise expressly authorized by state law to Possess Firearms on premises notwithstanding municipal prohibition (e.g., as provided by state or federal law); or

(3) Situations where Possession of a Firearm is necessary to render medical aid or address another imminent emergency, provided the Person notifies facility staff or law enforcement as soon as practicable.

Sec. 225A.11. Signage; notice.

(a) The City shall Prominently post a Conspicuous sign at each public entrance to Sensitive places providing notice of all applicable Firearm prohibitions. Additional signs must be posted in important interior locations, as determined by the City, including customer service desks, gymnasium entry points, and additional activity entry points.

(b) Sign Content. Each sign shall state: "THE CITY OF SAINT PAUL BANS FIREARMS ON THESE PREMISES" and include a citation to the applicable section of the Saint Paul Legislative Code. The City may include graphic symbols (e.g., a Firearm silhouette with a strike-through) and multilingual translations as appropriate.

(c) Enforcement and Penalties.

(1) The purpose of this section is to require signage and promote voluntary compliance; it is not intended to create new criminal prohibitions beyond those established by state or federal law. Violations of Possession prohibitions shall be enforced under this Chapter and the ordinances contained herein as well as applicable state and federal law.

(2) Nothing in this ordinance limits the authority of the Saint Paul Police Department to enforce applicable state or local laws concerning Firearms Possession.

SECTION 3

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.