



January 20, 2010

City of Campbell
351 Tenney Avenue
Campbell, OH 44405

Dear Mayor George Kiros,

Ohioans For Concealed Carry, a non-profit organization representing the interests of Ohio's lawful gun owners, has been advised that the city recently adopted legislation outlawing the sale of firearms within city limits.

Since I have not had a chance to review the ordinance in question I would respectfully ask that you fax a copy to us 1-888-881-2559.

Since 2004 we have made efforts to educate local governments with respect to their rights and limitations regarding Ohio's firearm laws in light of changes adopted by the legislature.

On September 18th of 2008 the Ohio Supreme Court ruled in favor of us in *Ohioans For Concealed Carry v. City of Clyde*. In this case ORC 9.68 was deemed a constitutional restraint of local government powers with respect to keeping Ohio's firearms laws consistent statewide.

Ohio's statewide firearms laws are declared to be consistent as stated in ORC 9.68(A):

The individual right to keep and bear arms, being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio, the general assembly finds the need to provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, or other transfer of firearms, their components, and their ammunition. Except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay, or process, may own, possess, purchase, sell, transfer, transport, store, or keep any firearm, part of a firearm, its components, and its ammunition.

The legislature knew not to intrude upon a local government's right to enact zoning restrictions.

However, section (D)2 of ORC 9.68 prohibits a zoning ordinance that results in a de-facto prohibition of all firearms, components, and ammunition sales. In other words, a city wide ban on the sale of firearms, components, and/or ammunition would be in violation of ORC 9.68 even if enacted in the form of a zoning ordinance.

If you now believe that your ordinance is in violation of state law I would ask it be repealed immediately. Thank you for your time in this matter, and please feel free to contact me if I can be of any assistance.

Sincerely,

Jeff Garvas, President
Ohioans For Concealed Carry