

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: Civil/Other

Minnesota Gun Owners Caucus

Court File No. 62-CV-25-9927

Judge Leonardo Castro

Plaintiff,

**AMENDED COMPLAINT
FOR DECLARATORY
RELIEF**

v.

City of Saint Paul, Minnesota

Defendant.

INTRODUCTION

1. This is an action under Minnesota’s Uniform Declaratory Judgments Act (“UDJA”), Minn. Stat. §§ 555.01–.16, seeking a judicial declaration that Saint Paul Ordinance 25-65 (“Ordinance 25-65” or “the Ordinance”) is ultra vires and void ab initio, and seeking further equitable relief to prevent the City of Saint Paul (“the City”) from enforcing, implementing, or otherwise giving legal effect to that void ordinance.

2. The Minnesota Legislature has expressly and completely preempted the entire field of firearms regulation, withdrawing “all authority” from municipalities to enact such laws. The state preemption statute, Minn. Stat. § 471.633, declares that any inconsistent local regulation is “void”.

3. Furthermore, the Legislature has separately and unequivocally preempted all local authority to regulate the carrying of firearms by law-abiding citizens who hold

a state-issued permit to carry. Minn. Stat. §§ 624.714 & 624.717. Minn. Stat. § 624.714 establishes the “complete and exclusive” criteria and procedures for issuing permits and explicitly forbids any governmental unit from “limit[ing] the exercise of a permit to carry.”

4. Despite these clear and distinct prohibitions, the St. Paul City Council knowingly passed Ordinance 25-65¹ (the “Ordinance”), creating a new chapter of the city’s legislative code, Chapter 225A, that extensively regulates and bans the possession, transport, and sale of a wide range of common firearms, magazines, and accessories, and further purports to ban the carrying of firearms by permit-holders in numerous public places.

5. The Ordinance includes provisions declaring it contingent and designed to take effect only upon future changes to state law, and further tying automatic effectiveness to future state legislative action the City deems sufficiently similar or authorizing.

6. This contingency language does not cure the Ordinance’s fundamental defects. An ordinance that is void when enacted cannot be rendered valid by a future contingency. Moreover, the Ordinance’s restrictions on carrying firearms would remain unlawful under Minn. Stat. §§ 624.714 and 624.717 even if the general preemption

¹ Exhibit A, City of Saint Paul, Minn., Ordinance 25-65, Creating Chapter 225A of the Legislative Code titled “Firearms Regulations to Establish Regulations for Assault Weapons, Binary Triggers, Ghost Guns, and Signage” (passed Nov. 12, 2025; signed Nov. 19, 2025), available at <https://stpaul.legistar.com/LegislationDetail.aspx?ID=7704634&GUID=E547DB51-3073-4B0F-AA1B-BE5B30E6951E&FullText=1> (last accessed Jan. 12, 2026).

law, Minn. Stat. § 471.633, were repealed. The City’s passage of the Ordinance was an ultra vires act—an exercise of power it does not possess—and the Ordinance is a legal nullity.

7. The Ordinance’s enactment and enforcement provisions are impermissibly vague. It declares itself effective thirty days after publication, yet simultaneously provides that it “shall not take effect, nor be enforced” until the repeal of Minn. Stat. § 471.633 or the passage of any Minnesota law “substantially the same” as any part of the Ordinance or otherwise authorizing substantially similar municipal regulation. The Ordinance further provides: “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.” The phrase “substantially the same” is undefined, and the Ordinance provides no objective, publicly ascertainable mechanism by which ordinary citizens can know when the City will claim the trigger has occurred or what the operative prohibitions will be at the moment criminal liability attaches.

8. The mere existence of this void ordinance on the City’s books inflicts immediate and ongoing harm on the Minnesota Gun Owners Caucus’s members. It creates profound legal uncertainty, chills the present exercise of their fundamental right to keep and bear arms, and subjects them to a lawless assertion of municipal authority.

9. MNGOC brings this action to vindicate the rule of law, defend the Minnesota Legislature's sole authority in this field, and protect the rights of its members by seeking a judicial declaration that the Ordinance is void ab initio and further equitable relief prohibiting the City from enforcing, implementing, or otherwise giving legal effect to Ordinance 25-65.

THE PARTIES

10. Plaintiff Minnesota Gun Owners Caucus ("MNGOC") is a Minnesota non-profit corporation with its principal place of business in Saint Paul, Minnesota. MNGOC is Minnesota's largest gun rights advocacy organization, dedicated to protecting and advancing the right of law-abiding citizens to keep and bear arms. MNGOC brings this action on behalf of its members, many of whom reside, work, and travel within the City of Saint Paul.

11. MNGOC publicly invited its members and supporters residing or working in Saint Paul who lawfully own or carry firearms affected by the Ordinance to contact the organization regarding their concerns. Numerous members responded, describing how the Ordinance has altered or chilled their lawful conduct. MNGOC has also expended dozens of hours of organizational time and resources to investigate the Ordinance, respond to member inquiries, and provide guidance to members attempting to comply with state law in the face of the City's unlawful and uncertain assertion of authority.

12. The following members are representative of many more MNGOC members and supporters affected by the passage of the Ordinance. Each is a law-abiding adult who may lawfully possess and carry firearms under state and federal law, and each faces present uncertainty and chilled conduct as a result of the Ordinance's enactment and contingent-enforcement provisions.²

- a. Ashley Scharffbillig is a member of MNGOC and a resident of Saint Paul's Ward 6. Ashley holds a valid Minnesota Permit to Carry a Pistol under Minn. Stat. § 624.714 and lawfully owns firearms, magazines, and accessories implicated by the Ordinance. Ashley has previously carried firearms in public places within Saint Paul and would continue to do so, including in locations the Ordinance purports to designate as "sensitive places." Because the Ordinance has been enacted and contains conflicting effective-date provisions and undefined contingencies governing when its criminal prohibitions apply, Ashley cannot determine whether otherwise lawful possession or carry would subject Ashley to detention, arrest, seizure of property, or prosecution. This lack of ascertainable legal standards has compelled Ashley to refrain from lawful activities today that would otherwise be undertaken, constituting a concrete and ongoing injury.
- b. Mitchell Berg is a life member of MNGOC and a resident of Saint Paul's

² See Exhibit E - Affidavit of Bryan Strawser

Ward 4. Mitchell holds a valid Minnesota Permit to Carry and lawfully owns multiple firearms and accessories implicated by the Ordinance. Mr. Berg has refrained from carrying certain firearms and accessories within Saint Paul as a result of the Ordinance's unclear reach and confusing trigger provisions. Mr. Berg is particularly concerned that law enforcement officers may misunderstand or inconsistently apply the Ordinance, creating a risk of confrontation or enforcement against lawful conduct. This fear deters Mr. Berg from exercising rights that would otherwise be lawfully and confidently exercised under state law.

- c. Bryan Strawser is the Chair of the Minnesota Gun Owners Caucus and a resident of Roseville, Minnesota. Mr. Strawser holds a valid Minnesota Permit to Carry and regularly travels into Saint Paul for work and recreation. He has lawfully carried firearms in public places within Saint Paul. Following passage of the Ordinance, Mr. Strawser refrains from carrying a privately manufactured firearm within the City because the Ordinance's vague and contingent provisions provide no clear notice of what conduct is prohibited or when enforcement may occur. The absence of clear standards creates a substantial risk of inconsistent or unlawful enforcement by City law-enforcement officers and has chilled Mr. Strawser's present exercise of lawful rights.

d. Brandon Flesher is a resident of Saint Paul's Ward 2 who holds a valid Minnesota Permit to Carry and has routinely and lawfully carried firearms in public places within the City. Mr. Flesher lawfully owns firearms and accessories that fall within the Ordinance's definitions and prohibitions. Since the Ordinance's enactment, Mr. Flesher has ceased carrying firearms in public in Saint Paul because the Ordinance's operative provisions are vague, contingent, and lack any objective mechanism for determining when its criminal prohibitions are in effect. As a result, Mr. Flesher cannot determine, at the time he must decide whether to carry, whether otherwise lawful conduct exposes him to arrest, citation, or seizure of property. This uncertainty has compelled Mr. Flesher to alter his present conduct to avoid potential criminal enforcement, constituting a concrete and ongoing injury-in-fact.

13. Defendant City of Saint Paul, Minnesota, is a municipal corporation and a city of the first class organized and existing under the laws of the State of Minnesota. The City is a "home rule charter or statutory city" within the meaning of Minn. Stat. § 471.633.

JURISDICTION AND VENUE

14. This Court has subject matter jurisdiction under Minn. Stat. §§ 555.01–.16,

including § 555.02, because Plaintiff and its members are persons whose rights, status, and legal relations are affected by a municipal ordinance and Plaintiff seeks a declaration regarding questions of construction and validity arising under that ordinance. Plaintiff also seeks ancillary equitable relief to prevent enforcement and implementation of an ultra vires and void ordinance.

15. This Court has personal jurisdiction over the Defendant because the City of Saint Paul is a municipal corporation organized and existing under the laws of the State of Minnesota, exercising governmental authority within the State, and the actions giving rise to this suit—including the passage of the challenged ordinance—occurred within the State and within this judicial district.

16. Venue is proper in Ramsey County pursuant to Minn. Stat. § 542.03 because the Defendant is situated in Ramsey County and the cause of action arose therein.

FACTUAL ALLEGATIONS

A. Minnesota Law Expressly Preempts All Local Firearm Regulation.

17. The Minnesota Legislature has unequivocally reserved for itself the sole authority to regulate firearms within the state.

18. Minnesota Statutes § 471.633, titled “Firearms,” states in full: The legislature preempts **all authority** of a home rule charter or statutory city including a city of the first class, county, town, municipal corporation, or other governmental

subdivision, or any of their instrumentalities, to regulate firearms, ammunition, or their respective components to the complete exclusion of any order, ordinance or regulation by them except that: (a) a governmental subdivision may regulate the discharge of firearms; and (b) a governmental subdivision may adopt regulations identical to state law. **Local regulation inconsistent with this section is void.** (*emphasis added*).

19. This statute constitutes an express and total preemption of the field. It leaves no room for municipal regulation of firearms, ammunition, or their components, aside from the two narrow and irrelevant exceptions for discharge and regulations identical to state law.

20. By declaring any inconsistent local regulation “void,” the Legislature mandated that such ordinances are legal nullities from the moment of their passage or enactment, without legal force or effect. Because the Legislature declared inconsistent local regulation ‘void,’ regardless of enforcement intentions, the validity of such an ordinance is a present legal question appropriate for declaratory judgment.

B. Minnesota Law Separately and Expressly Preempts Local Regulation of Firearm Carry.

21. In addition to the general preemption of all firearm regulation, the Legislature has specifically and exclusively occupied the field of regulating the carrying of firearms by law-abiding citizens.

22. The Minnesota Citizens' Personal Protection Act, codified at Minn. Stat. §

624.714, establishes the statewide criteria for the issuance of permits to carry a pistol. The statute makes clear that a permit issued under this section is a "state permit and is effective throughout the state".

23. To remove any doubt about the Legislature's exclusive authority in this area, Subdivision 23 of the statute explicitly preempts any local interference with this right: This section sets forth the **complete and exclusive criteria and procedures** for the issuance of permits to carry and establishes their nature and scope. **No** sheriff, police chief, **governmental unit**, government official, government employee, or other person or body acting under color of law or governmental authority may change, modify, or supplement these criteria or procedures, or **limit the exercise of a permit to carry**. (*emphasis added*).

24. Minnesota law confirms the statewide nature and scope of the permit to carry. Minn. Stat. § 624.717 provides that the state's permitting scheme supersedes municipal regulation of the carrying or possessing of pistols. In addition, state law expressly exempts permit holders from otherwise applicable prohibitions on carrying rifles and shotguns in public places. Minn. Stat. § 624.7181 generally makes it a gross misdemeanor to carry a rifle or shotgun in a public place, but expressly excludes from that prohibition "the carrying of a ... rifle or shotgun by a person who has a permit under section 624.714."

25. Therefore, any local ordinance that attempts to prohibit a permit holder

from carrying a firearm—whether a pistol, rifle, or shotgun—where state law allows it is an unlawful attempt to "limit the exercise of a permit to carry" and is in direct violation of Minn. Stat. § 624.714, Subd. 23.

C. The Saint Paul City Council Passes a Void Ordinance.

26. On or about October 22, 2025, the Saint Paul City Council introduced Ordinance 25-65, titled “Creating Chapter 225A of the Legislative Code titled Firearms Regulations to establish regulations for Assault weapons, Binary triggers, Ghost guns and Signage”.

27. The Ordinance creates a new Chapter 225A of the Saint Paul Legislative Code and imposes criminal penalties for violations. Among other things, it: (a) prohibits the possession, transport, storage, keeping, or carrying of firearms classified as “assault weapons,” § 225A.07; (b) prohibits the possession, transport, storage, keeping, or carrying of ammunition feeding devices classified as “large-capacity magazines,” § 225A.07; (c) prohibits the possession, transport, storage, keeping, or carrying of any “binary trigger,” § 225A.08; (d) prohibits the possession, transport, storage, keeping, or carrying of any firearm classified as a “ghost gun,” § 225A.09; and (e) prohibits the possession—and thus the carrying—of firearms in any designated “sensitive place,” defined broadly to include City-owned buildings, parks, recreation centers, and libraries, § 225A.10.

28. The Ordinance’s “Sensitive place” carry prohibition in § 225A.10 directly

purports to “limit the exercise of a permit to carry” for MNGOC members who hold such permits, in violation of Minn. Stat. § 624.714, subd. 23.

29. The City was fully aware that it lacked the authority to pass or enact such regulations. The Ordinance’s own text acknowledges that “state preemption laws currently prohibit cities from enacting common-sense gun violence prevention ordinances”.

30. Prior to the Ordinance’s passage, MNGOC provided formal notice on October 22, 2025 to the City Council, warning that the proposed ordinance was facially invalid under Minn. Stat. § 471.633 and that its passage would result in immediate legal action.

31. On November 5, 2025, MNGOC testified at a public hearing on the Ordinance again warning that the proposed ordinance was facially invalid under Minn. Stat. § 471.633 and that its passage would result in immediate legal action.

32. In an attempt to circumvent state law and insulate its *ultra vires* act from judicial review, the City included Section 225A.02, titled “Chapter Effective Upon Contingent Events,” which states: 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.

33. This contingency clause only references the general preemption statute, § 471.633. It does not and cannot cure the Ordinance's separate and independent violation of the permit-to-carry preemption statute, § 624.714.

34. The St. Paul City Council proceeded to pass the Ordinance on November 12, 2025 despite its clear illegality. The Mayor signed the Ordinance on November 19, 2025.

34A. The Ordinance purports to “spring” into operation automatically—“effective immediately, without further action by the City Council”—upon a triggering condition tied to later state action, while simultaneously providing that “any language herein must be deemed conformed to the substantially similar state law to the extent required for consistency.” The Ordinance identifies no City official or body authorized to determine whether either triggering condition has occurred, provides no procedure for making that determination, and provides no public-notice mechanism by which ordinary citizens can determine when, or in what form, the Ordinance’s criminal prohibitions have become operative.

D. The Ordinance Causes Immediate and Ongoing Irreparable Harm.

35. MNGOC brings this action on behalf of its members who reside, work, and travel within the City of Saint Paul and are directly and presently harmed by the

Ordinance's existence.

36. MNGOC has associational standing to bring this action because: (a) its members would have standing to sue in their own right; (b) the interests it seeks to protect—the right to keep and bear arms and the right to be governed according to state law—are germane to the organization's purpose; and (c) neither the claims asserted nor the relief requested requires the participation of individual members.

37. The passage and enactment of the Ordinance—and the City's decision to maintain it as an adopted penal ordinance purportedly awaiting future activation—constitute a present and ongoing injury-in-fact to MNGOC's members, even if the City contends that certain provisions are not presently enforceable.

38. The Ordinance's existence creates a palpable chilling effect on the lawful exercise of fundamental rights under the Second Amendment to the U.S. Constitution and Article I, Section 13 of the Minnesota Constitution.

39. Law-abiding members of MNGOC in Saint Paul are forced to make present decisions about the acquisition, possession, transportation, and carrying of lawful firearms and accessories under a cloud of legal uncertainty. A member considering the lawful purchase, manufacture, or possession of a firearm, magazine, or accessory implicated by Chapter 225A must now weigh the risk that their lawfully acquired property could be treated as illegal contraband—and that they could be detained, cited, arrested, or prosecuted—based on an ordinance that the City has adopted while

providing no clear, objective mechanism for the public to know when (or whether) the Ordinance's criminal provisions will be treated as operative.

40. This uncertainty objectively deters and chills present, lawful conduct related to a fundamental constitutional right. It forces citizens to constantly monitor legislative activity under the threat of having their property criminalized automatically and without further local process.

41. The Ordinance further injures MNGOC's members because it purports to impose criminal penalties and property restrictions within the City in an area where the Legislature has withdrawn municipal authority. Members who live, work, or travel in Saint Paul must either self-censor and conform their conduct to the Ordinance's prohibitions or risk adverse law-enforcement encounters when the vague provisions of the Ordinance are misunderstood or treated as operative. This is a concrete, present injury, not merely an abstract disagreement with the City's policy preferences.

42. The harm caused by the Ordinance is irreparable. The chilling of a constitutional right and the injury of being subjected to a lawless government act cannot be compensated by monetary damages.

E. The Ordinance is Unconstitutionally Vague.

43. On November 12, 2025, the Saint Paul City Council passed the Ordinance, which specifies in Section 3 that it shall become effective thirty (30) days following its passage, approval, and publication.

44. Section 225A.02 of the Ordinance declares that Chapter 225A and its constituent ordinances “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. The same section further provides: “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.”

45. These two provisions directly conflict and create uncertainty as to when the Ordinance is legally effective.

46. Individuals lawfully engaging in protected conduct today cannot determine whether their conduct will become a criminal offense on the thirtieth day after publication or at some later date. The City’s assertion that the Ordinance will not be “enforced” until state law changes does not resolve the uncertainty created by its passage, enactment, and publication.

47. The Ordinance further states that it will automatically become effective upon 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.” It then provides: “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.”

48. Section 225A.02(a)’s repeal trigger (the repeal of Minn. Stat. § 471.633) is an objectively verifiable event. By contrast, Section 225A.02(b) conditions the Ordinance’s immediate effectiveness on a standardless judgment—whether later-enacted state legislation is “substantially the same as any part of this ordinance” or otherwise “affirmatively authorizes” “substantially similar regulations.” The Ordinance supplies no legally fixed standards for that comparison and no mechanism for an official determination or public notice. As a result, ordinary citizens cannot know when criminal liability attaches—or what the operative prohibitions are at the moment the City claims the trigger has been met.

49. The Ordinance provides no definition of what qualifies as a “substantially the same” law and identifies no authority responsible for making that determination. It also establishes no procedure for deciding whether a state law meets that description or for notifying the public that the Ordinance’s criminal provisions have become enforceable. Compounding the uncertainty, the Ordinance purports to become “effective immediately, without further action by the City Council,” and further provides that “any language herein must be deemed conformed to the substantially

similar state law to the extent required for consistency,” leaving ordinary citizens to guess both *when* criminal liability attaches and *what* the operative criminal prohibition is at the moment the City claims the trigger has been met.

50. This uncertainty invites arbitrary and inconsistent enforcement and fails to provide fair notice of what conduct is prohibited. The Ordinance’s conflicting effective dates and undefined contingencies render it void for vagueness under basic principles of due process.

F. A Pre-Enforcement Challenge Is Appropriate.

51. The Ordinance was passed by the Saint Paul City Council on November 12, 2025 and signed by the Mayor on November 19, 2025.

52. The City has codified the Ordinance pursuant to the City’s ordinary process for ordinances, such that Chapter 225A will appear in the Saint Paul Legislative Code as a criminal ordinance.

53. The Mayor has publicly promoted the Ordinance, and the City has defended the Ordinance in this litigation as a measure intended to regulate firearms within Saint Paul once the City believes it has authority to enforce it.³

54. Following passage, approval, publication, and codification, Section 3 provides that the Ordinance shall “take effect and be in force” thirty (30) days after

³ Exhibit D - Press Release, *Mayor Carter and Minnesota Leaders Ready to Take Action on Gun Violence Prevention*, City of Saint Paul (Oct. 14, 2025), <https://www.stpaul.gov/news/mayor-carter-and-minnesota-leaders-ready-take-action-gun-violence-prevention>, See also *Ordinance to Prevent Gun Violence Introduced in St. Paul*, KSTP Eyewitness News (Oct. 23, 2025), <https://kstp.com/accountability/ordinance-to-prevent-gun-violence-introduced-in-st-paul/>

passage, approval, and publication, while Section 225A.02 simultaneously provides that Chapter 225A “shall not take effect, nor be enforced,” unless and until uncertain contingent events occur. This conflicting scheme—embedded in a penal ordinance and coupled with an undefined “substantially the same/substantially similar” trigger—creates a present, concrete uncertainty and chilling effect for ordinary citizens and law enforcement regarding when Chapter 225A may be treated as operative.

55. The Ordinance’s proposal, passage, and adoption have already chilled lawful conduct among MNGOC members who must now modify their behavior to avoid potential enforcement encounters and prosecution.

56. This ongoing chill and uncertainty constitute a present injury that warrants declaratory relief under Minn. Stat. § 555.02 and supplemental relief, including injunctive relief, under Minn. Stat. § 555.08 prohibiting any enforcement or attempted enforcement of the Ordinance.

CLAIMS FOR RELIEF

COUNT I

Declaratory Judgment (Minn. Stat. § 555.02)

Ordinance 25-65 Is Ultra Vires and Void Under Minn. Stat. § 471.633

57. Plaintiff re-alleges and incorporates by reference the allegations contained in the preceding paragraphs.

58. An actual, justiciable controversy exists between MNGOC and the City

regarding the validity of Ordinance 25-65, and MNGOC's members' rights, status, and legal relations are affected by the Ordinance within the meaning of Minn. Stat. § 555.02.

59. The City of Saint Paul is a “home rule charter or statutory city, including a city of the first class” and is therefore subject to the express preemption of Minn. Stat. § 471.633.

60. The Ordinance, which creates Chapter 225A of the Saint Paul Legislative Code, is an “ordinance or regulation” that seeks to “regulate firearms, ammunition, or their respective components”.

61. The Ordinance is not a regulation of the “discharge of firearms” nor is it “identical to state law.”

62. The Ordinance is therefore a “Local regulation inconsistent with” Minn. Stat. § 471.633.

63. By statute, the Legislature ‘preempts all authority’ of municipalities to regulate firearms and components, with narrow exceptions not applicable here, and declares inconsistent local regulation ‘void.’ Minn. Stat. § 471.633.

64. Pursuant to the plain language of Minn. Stat. § 471.633, the Ordinance is “void.”

65. The contingent effective date provision in Section 225A.02 does not cure the Ordinance's invalidity. An ordinance that is void upon enactment cannot be

rendered valid by a future, uncertain event. The City's lack of authority renders the Ordinance a legal nullity from the moment of passage, preventing it from ever having potential validity to "spring" into effect. The City's action is an impermissible attempt to do indirectly what it is expressly prohibited from doing directly. The City may not accomplish indirectly—via contingent codification—what state law directly withdraws from its power.

66. The City's reliance on a future contingency does not transform a presently ultra vires enactment into a lawful ordinance. A municipality may exercise only those powers the Legislature has granted. Because the Legislature has withdrawn "all authority" for municipalities to regulate firearms and has declared inconsistent local regulation "void," the City lacked power to enact or codify Ordinance 25-65 when it was adopted. A void ordinance cannot later become valid law by operation of a future contingent event.

67. Any future repeal, amendment, or judicial invalidation of state preemption law—or any future state statute that affirmatively authorizes municipal firearms regulation—would require a new, lawful exercise of municipal legislative authority at that time and within the scope of the authority then conferred. The City cannot pre-enact penal prohibitions now and have them automatically take effect later "without further action by the City Council."

68. Pursuant to Minn. Stat. § 555.02, MNGOC, on behalf of its members, is

entitled to a judicial declaration that Ordinance 25-65 is ultra vires, void ab initio, and of no legal force or effect.

COUNT II

Declaratory Judgment (Minn. Stat. § 555.02)

Permit-to-Carry Preemption—Ordinance 25-65 Is Void Under Minn. Stat. § 624.714, subd. 23

69. Plaintiff re-alleges and incorporates by reference the allegations contained in the preceding paragraphs.

70. An actual, justiciable controversy exists between MNGOC and the City regarding the validity of the carry prohibitions contained in Ordinance 25-65, and MNGOC's members' rights, status, and legal relations are affected by those prohibitions within the meaning of Minn. Stat. § 555.02.

71. Section 225A.10 of the Ordinance purports to prohibit Caucus members who hold a valid permit to carry from carrying firearms in "sensitive places" where state law otherwise permits them to do so.

72. This provision constitutes an attempt by a "governmental unit" to "limit the exercise of a permit to carry," an action expressly and absolutely forbidden by Minn. Stat. § 624.714, subd. 23.

73. Section 225A.10 of the Ordinance is therefore void as a matter of law, independent of and in addition to the invalidity of the entire Ordinance under Minn.

Stat. § 471.633.

74. The contingency clause in Section 225A.02 (including its reference to a potential repeal of Minn. Stat. § 471.633 or the passage of purportedly authorizing state law) has no bearing on the illegality of Section 225A.10 under Minn. Stat. § 624.714, subd. 23. The carry prohibition would remain void even if Minn. Stat. § 471.633 were repealed.

75. Pursuant to Minn. Stat. § 555.02, MNGOC, on behalf of its members, is entitled to a judicial declaration that Section 225A.10 of Ordinance 25-65 is void and of no legal force or effect for violating Minn. Stat. § 624.714, subd. 23.

COUNT III

Declaratory Judgment (Minn. Stat. § 555.02)

Void for Vagueness—Minn. Const. art. I, § 7

76. Plaintiff re-alleges and incorporates by reference the allegations contained in the preceding paragraphs.

77. The Minnesota Constitution guarantees that “[n]o person shall be held to answer for a criminal offense without due process of law, nor be deprived of life, liberty or property without due process of law.” Minn. Const. art. I, § 7.

78. Ordinance 25-65 imposes criminal penalties for possession, transport, or carrying of firearms, magazines, and accessories within the City of Saint Paul.

79. The Ordinance provides that it shall “take effect and be in force thirty (30)

days following its passage, approval, and publication.”

80. The Ordinance simultaneously states that it “shall not take effect, nor be enforced,” unless and until either (a) Minn. Stat. § 471.633 is repealed, or (b) the Legislature passes a law that is “substantially the same as any part of this ordinance or otherwise affirmatively authorizes municipalities to enact and enforce substantially similar regulations.” The Ordinance further provides that, upon the occurrence of either condition, it becomes “effective immediately, without further action by the City Council,” and that “any language herein must be deemed conformed to the substantially similar state law to the extent required for consistency.”

81. The Ordinance also declares that it will automatically become effective upon 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,” and further provides: “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.”

82. The Ordinance provides no definition of what constitutes a law that is “substantially the same,” identifies no authority responsible for making that determination, or describes any process for determining when its criminal prohibitions become operative. The Ordinance’s additional claim that it becomes “effective

immediately, without further action by the City Council,” while its language is simultaneously “deemed conformed” to later state law, denies ordinary citizens fair notice of the operative rule at the moment the City claims enforceability attaches.

83. These conflicting and undefined provisions—including automatic effectiveness “without further action” and automatic “deemed conformed” rewriting—prevent ordinary citizens from knowing when lawful conduct will become criminal and invite arbitrary and discriminatory enforcement.

84. Plaintiff’s vagueness challenge is directed in particular to § 225A.02(b)’s ‘substantially the same/substantially similar’ trigger and the Ordinance’s automatic ‘deemed conformed’ operation. The vagueness of the Ordinance deprives citizens of fair notice, fails to provide clear standards for enforcement, and violates the due-process guarantees of the Minnesota Constitution.

85. Plaintiff and its members are presently injured by the uncertainty created by the Ordinance and are entitled to a judicial declaration that it is void for vagueness.

86. Plaintiff seeks a declaratory judgment that Ordinance 25-65 is unconstitutional on its face because its effective-date and triggering provisions fail to provide fair notice and invite arbitrary enforcement.

87. Declaratory relief is authorized under Minn. Stat. § 555.02 because Plaintiff’s members’ rights and legal relations are affected by a municipal ordinance and Plaintiff seeks a declaration regarding its validity.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Minnesota Gun Owners Caucus respectfully requests that this Court enter a judgment in its favor and against Defendant City of Saint Paul, granting the following relief:

- A. A declaratory judgment that Saint Paul Ordinance 25-65, creating Chapter 225A of the Saint Paul Legislative Code, is inconsistent with Minn. Stat. § 471.633, *ultra vires*, and void *ab initio*;
- B. A declaratory judgment that Section 225A.10 of Ordinance 25-65 is void for violating the express preemption on limiting the exercise of a permit to carry contained in Minn. Stat. § 624.714, subd. 23;
- C. A declaratory judgment that Ordinance 25-65 is void for vagueness and unconstitutional under Article I, Section 7 of the Minnesota Constitution because it fails to provide fair notice of prohibited conduct and invites arbitrary enforcement;
- D. A permanent injunction prohibiting the City of Saint Paul, its officers, agents, employees, and attorneys, and all those acting in concert with them, from enforcing, implementing, applying, or otherwise giving operative effect to Ordinance 25-65 in any manner, including through arrest, citation, prosecution, threatened enforcement, or adoption of enforcement policies, practices, training, or signage predicated on Chapter 225A;

- E. An award of costs, upon proper application for the same, as may seem equitable and just under Minn. Stat. § 555.10;
- F. Such other and further relief as the Court deems just and proper, including further relief authorized by Minn. Stat. § 555.08.

Dated: January 13, 2026

Respectfully submitted,

/s/ Rob Doar

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Attorney for Plaintiff

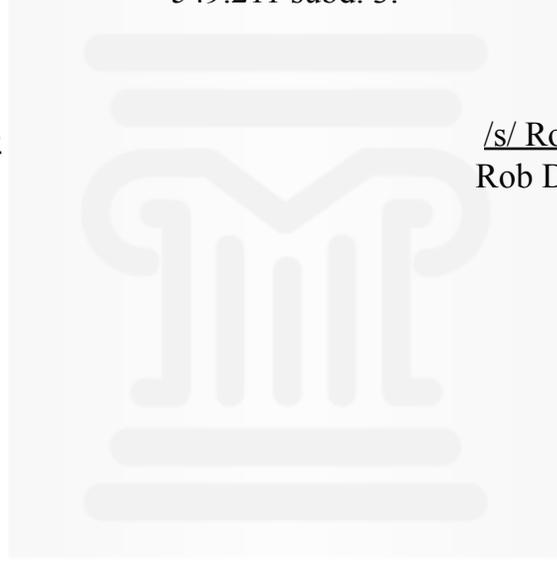
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ACKNOWLEDGEMENT

The undersigned acknowledges that sanctions may be imposed pursuant to Minn. Stat. §
549.211 subd. 3.

Dated: January 13, 2026

/s/ Rob Doar
Rob Doar (#506356)



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EXHIBITS

Exhibit	Description
Exhibit A	Saint Paul Ordinance 25-65 , “Creating Chapter 225A of the Legislative Code: Firearms Regulations to Establish Regulations for Assault Weapons, Binary Triggers, Ghost Guns, and Signage,” passed by the Saint Paul City Council on November 12, 2025 .
Exhibit B	October 22, 2025 Notice Letter from Minnesota Gun Owners Caucus to the Saint Paul City Council and City Attorney, advising that passage of Ordinance 25-65 would violate Minn. Stat. § 471.633 and result in immediate legal action.
Exhibit C	Saint Paul City Council Meeting Record excerpt showing passage of Ordinance 25-65 on November 12, 2025 .
Exhibit D	City of Saint Paul Press Release titled <i>Mayor Carter and Minnesota Leaders Ready to Take Action on Gun Violence Prevention</i> (Oct. 14, 2025), also available at https://www.stpaul.gov/news/mayor-carter-and-minnesota-leaders-ready-to-ke-action-gun-violence-prevention , evidencing the Mayor’s stated intent to approve and publish the ordinance.
Exhibit E	Affidavit of Bryan Strawser , Chair of the Minnesota Gun Owners Caucus, describing the immediate and ongoing harm to MNGOC and its members caused by Ordinance 25-65.

EXHIBIT A

Saint Paul Ordinance 25-65 – Creating Chapter 225A of the Legislative Code

As of 11/19/2025

Pages: 7 (not including this cover sheet)

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SAINT PAUL MINNESOTA

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File #:	Ord 25-65	Version: 1	
Type:	Ordinance	Status:	Final Adoption
		In control:	City Council
		Final action:	
Title:	Creating Chapter 225A of the Legislative Code titled Firearms Regulations to establish regulations for Assault weapons, Binary triggers, Ghost guns and Signage.		
Sponsors:	Rebecca Noecker, Saura Jost, Molly Coleman, Cheniqua Johnson, HwaJeong Kim		
Attachments:	1. 20251022 Gun Violence Prevention Ordinance Staff Report , 2. Documents submitted during Council public hearing , 3. Public comments		

[History \(2\)](#)[Text](#)[Public Comments \(11\)](#)

Title

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

Body

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.

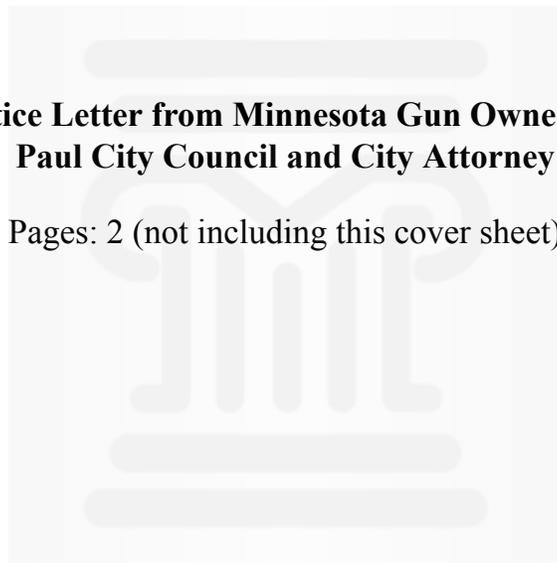
SECTION 3

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

EXHIBIT B

October 22, 2025 Notice Letter from Minnesota Gun Owners Caucus to the Saint Paul City Council and City Attorney

Pages: 2 (not including this cover sheet)



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Mayor Melvin Carter
St. Paul City Council
c/o Office of the City Clerk
310 City Hall
15 Kellogg Blvd W
St Paul, MN 55102

October 21, 2025

Re: Illegal Firearms Ordinance

Mayor Carter & Members of the Saint Paul City Council,

The Minnesota Gun Owners Caucus has been made aware of the City's intention to introduce a firearms-related ordinance on October 22, 2025. While we understand the ordinance may purport to delay its effective date indefinitely, such language does not cure its legal defect. This ordinance is **facially invalid** under state law and represents an unlawful assertion of municipal power.

Minnesota law could not be more clear. **Minn. Stat. § 471.633** states:

"The legislature hereby preempts all authority of local governments to regulate firearms, ammunition, or their respective components..."

This is an **express preemption** statute. It wholly and unambiguously prohibits cities from legislating in this domain. The Supreme Court of Minnesota and the Court of Appeals have both consistently affirmed that preempted ordinances are **void at inception**—regardless of when or whether they are enforced. See, for example, *In re Application of Hoffman*, 430 N.W.2d 210 (Minn. Ct. App. 1988), where a municipality's overreaching permit requirements were struck down under this same statute.

The City of Saint Paul lacks the authority to adopt any ordinance that regulates firearms or ammunition, whether directly or contingently. No legislative gimmick—such as an indefinite effective date—can circumvent a statutory bar.



The Minnesota courts have repeatedly held that municipalities **may not do indirectly what they are forbidden to do directly** (*Lilly v. City of Minneapolis*, 527 N.W.2d 107, 111 (Minn. App. 1995)). An ordinance that is invalid today does not become valid merely because its enforcement is deferred until an unspecified future date.

Should the City proceed with the passage of this ordinance, the Minnesota Gun Owners Caucus will **immediately initiate legal action** to challenge its validity in court. We will seek **declaratory and injunctive relief** on behalf of our members, supporters, and all peaceable gun owners residing in Saint Paul whose rights and legal clarity are placed in jeopardy by this unlawful measure. The ordinance's mere existence will cause constitutional and statutory harm, deter lawful conduct, and disrupt the rights and responsibilities of residents and businesses subject to its chilling effect.

Let us be clear: **if the city enacts this ordinance, we will sue.** This ordinance is facially invalid and immediately susceptible to legal challenge. No delay clause, aspirational language, or symbolic gesture alters the plain fact that the ordinance would be an illegal act, passed without authority, in open defiance of state law.

We urge the Council to abandon this unlawful course of action, respecting both the constitutional limits of municipal power and the rights of your residents.

Sincerely,

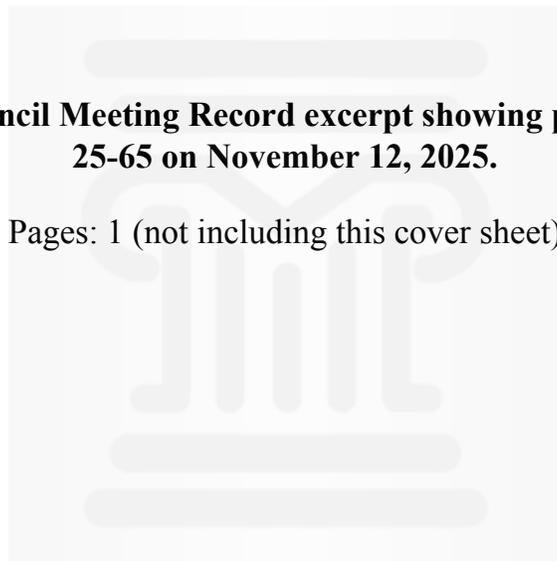
A handwritten signature in black ink that reads "Rob Doar". The signature is stylized with a large, looped "R" and "D".

Rob Doar
General Counsel
Minnesota Gun Owners Caucus
contact@gunowners.mn

EXHIBIT C

**Saint Paul City Council Meeting Record excerpt showing passage of Ordinance
25-65 on November 12, 2025.**

Pages: 1 (not including this cover sheet)



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SAINT PAUL MINNESOTA

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

Type: Ordinance **Status:** Passed

In control: [City Council](#)

Final action: 11/12/2025

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

Sponsors: Rebecca Noecker, Saura Jost, Molly Coleman, Cheniqua Johnson, HwaJeong Kim, Anika Bowie

Attachments: 1. [20251022 Gun Violence Prevention Ordinance Staff Report](#), 2. [Documents submitted during Council public hearing](#), 3. [Public comments](#)

[History \(4\)](#)[Text](#)[Public Comments \(11\)](#)

4 records

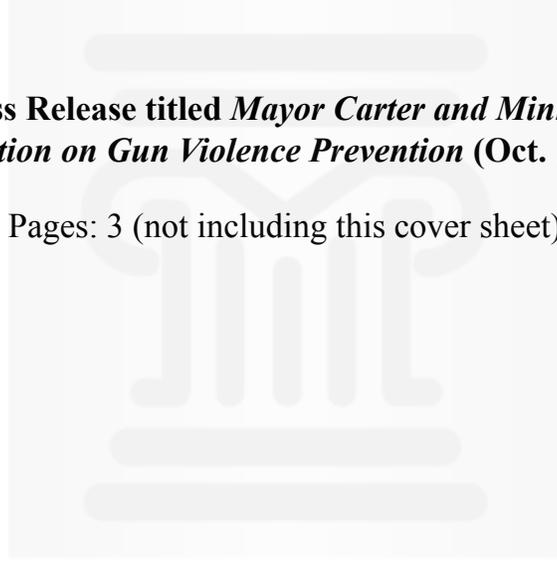
[Group](#)[Export](#)

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
11/19/2025	1	Mayor's Office	Signed		Action details	Meeting details	Not available
11/12/2025	1	City Council	Adopted	Pass	Action details	Meeting details	Video
11/5/2025	1	City Council	Laid Over to Final Adoption	Pass	Action details	Meeting details	Video
10/22/2025	1	City Council	Laid Over to Second Reading		Action details	Meeting details	Video

EXHIBIT D

City of Saint Paul Press Release titled *Mayor Carter and Minnesota Leaders Ready to Take Action on Gun Violence Prevention (Oct. 14, 2025)*

Pages: 3 (not including this cover sheet)



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The City of Saint Paul is recovering from a digital security incident. [Learn More >](#)

MAYOR CARTER AND MINNESOTA LEADERS READY TO TAKE ACTION ON GUN VIOLENCE PREVENTION

Municipal officials unite to advance local ordinances aimed at reducing gun violence

FOR IMMEDIATE RELEASE

October 14, 2025

CONTACT

Jennifer “JLor” Lor

JLor@ci.stpaul.mn.us

(651) 417-9454

SAINT PAUL—Today, Mayor Melvin Carter and city leaders from across Minnesota called on state lawmakers to either take urgent legislative action to prevent gun violence or let cities lead. Speaking at a press conference at the Minnesota State Capitol, the coalition announced a united effort to bring forward ordinances designed to empower local governments to protect their communities, especially children, from the public safety crisis posed by gun violence.

In Saint Paul, a draft ordinance will be introduced at the October 22 regular City Council meeting, with a public hearing on November 5. The proposed ordinance would:

- Ban assault weapons, large-capacity magazines, and binary triggers within city limits
- Require all firearms to have a serial number and prohibit untraceable ghost guns
- Restrict firearms in sensitive public spaces such as parks, libraries, recreations centers, and city-owned buildings
- Ensure clear signage at public facilities to inform residents and encourage compliance
- Establish penalties for violations and authorize enforcement by local public safety officials

“There are so many excuses. How many layers of unacceptable should this be?” said **Mayor Carter**. “We’re advancing common-sense ordinances now so that the moment state preemption is lifted, we’re ready to put proven gun violence prevention measures in place without delay.”

The group specifically urged lawmakers to repeal the preemption laws that prevent cities and counties from regulating firearms, ammunition, and related components. Minneapolis Mayor Jacob Frey said these laws stop cities from taking targeted, local action to respond quickly and effectively to gun violence and promote public safety.

“Protecting our kids shouldn’t be controversial,” said **Mayor Frey**. “Local governments must have the power to act when certain state lawmakers won’t, and Minneapolis is ready to move our feet and lead with stronger gun reform measures.”

The coalition includes mayors and city officials from Saint Paul, Minneapolis, Bloomington, Brooklyn Center, Burnsville, Columbia Heights, Eden Prairie, Golden Valley, Hopkins, Minnetonka, Mounds View, Richfield, Rochester, Shoreview, St. Louis Park, Stillwater, West Saint Paul, as well as Mom’s Demand Action, Protect Minnesota, Face to Face Academy, and other community partners who continue to push for comprehensive gun safety solutions.

The press conference is one of several calling for action in the weeks following the August 27 mass shooting at Annunciation Catholic School in Minneapolis that injured 26 students and three adults and killed 8-year-old Fletcher Merkel and 10-year-old Harper Moyski.

“If the state refuses to act and continues to avert their eyes, local government must be allowed to act,” said **Kathleen Anderson**, a volunteer and chapter leader of Minnesota Moms Demand Action. “Children should not be practicing lockdown drills at schools instead of their spelling words. Parents should not have to wonder if their children are going to be coming home from school. And local lawmakers should not have to be begging for the authority to keep their residents safe.”

“Nowadays, we don’t know who has a gun,” said **Tahjon Davis**, who attends Face to Face Academy in Saint Paul. “As somebody who takes bus transportation, you can’t really tell who’s carrying or if you’re going to make it home or make it to any place that you can feel safe or comfortable.”

“No matter what your political views are, we have all been affected this, and I know that it's time to take a stand against gun violence,” added **Jay Dreher**, who also attends Face to Face Academy.

STATEMENTS FROM OTHER MINNESOTA LEADERS

Mayor Tim Busse, City of Bloomington

“It's not hyperbole to say we face a clear and present danger from weapons of war on our streets, in our schools, and in our places of worship. And we’re doing far too little to stop it. Urgency is paramount right now. We can’t allow this call to action to get lost in the endless news cycles.”

Mayor April Graves, City of Brooklyn Center

“In Minnesota, we’ve lost children in churches and neighbors on porches—futures. And still, we’re told to wait, to mourn, to hope someone else will fix it. We’re not just witnesses. We’re architects. We’re the ones who shape the future and the frame. We’re the ones who decide whether our laws reflect our love, whether our polices protect our people, whether our silence becomes action. This is our moment to shift the frame from reaction to prevention, from despair to determination, and from thoughts and prayers to votes and bills. Let us write laws that honor life.”

Mayor Patrick Hanlon, City of Hopkins

“The data in this country is overwhelming and abnormal as far as shootings [go]. As I’ve been going around and talking to people in the City of Hopkins, there is also a deep sadness because I don’t think anyone believes that anyone is going to do a damn thing about this at the end of the day. I come from a city that prides ourselves in still having bipartisanship and that someone can step across the aisle and support our mayors. And if they’re not willing to do it, give us the tools to have tools in our local city.”

Mayor Brad Wiersum, City of Minnetonka

“Public safety is of paramount importance to my city. I’m here today because I think that taking action to limit the types of guns available to the general public makes cities safer. These limits are not contrary to the protections provided by the Second Amendment of the U.S. Constitution.”

Mayor Mary Supple, City of Richfield

“I’m a retired educator who taught in Richfield for 30 years. When I began my teaching career, the school safety drills consisted of what to do if there was a tornado or a severe storm or a fire evacuation—all that changed in 1999 with Columbine. At the time, we told the students that statistically schools were the safest place you could be, and we hoped that this one-time horrific event would never ever happen again. Educators and parents can no longer say that. Our children deserve better.”

Mayor Kim Norton, City of Rochester

“Preemption has tied our hands at being able to take action to protect the people that we care about. I stand here ready to fight with these folks to put some rules in our own cities and hope and pray that folks at the

Capitol and Congress take the action that they must take so that we can protect our residents.”

Mayor Ted Kozlowski, City of Stillwater

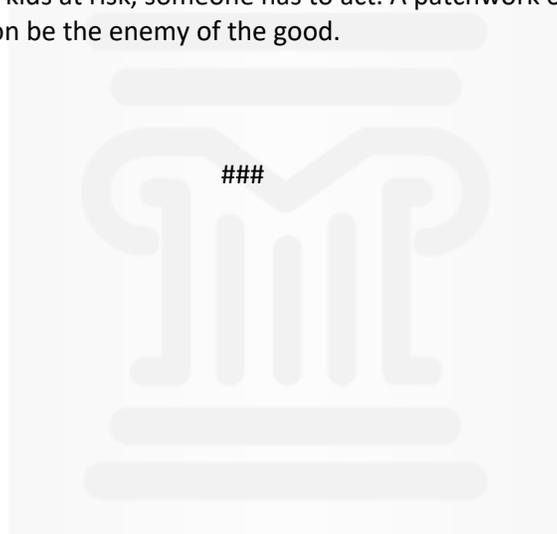
“As a property owner and as a business owner, I can ban firearms from my property and place of business. We ban guns from Vikings games, Wild games, the Mall of America—but as a community, I can’t have a conversation with my council to keep these guns out of Teddy Bear Park and Main Street. To me, that’s absurd and it needs to stop.”

Councilmember John Doan, City of Shoreview

“Like everyone here, I believe doing nothing about gun violence is simply not an option. When political gridlock puts the safety of our kids at risk, someone has to act. A patchwork of progress is better than a blanket. We can’t let perfection be the enemy of the good.

Watch the full press conference [here](#).

Last Edited: October 14, 2025

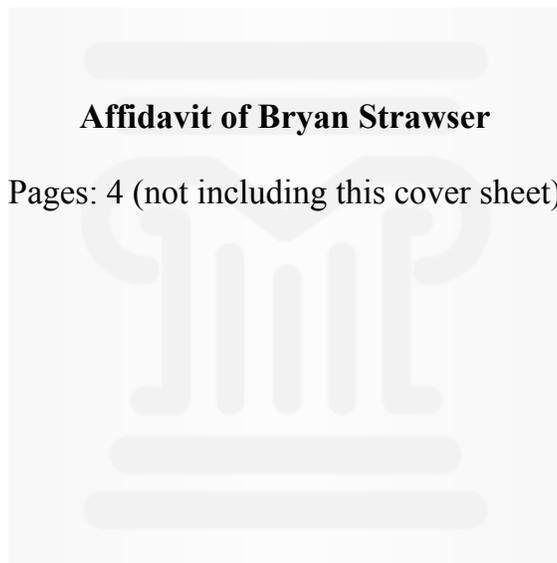


MINNESOTA
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BRANCH

EXHIBIT E

Affidavit of Bryan Strawser

Pages: 4 (not including this cover sheet)



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BRANCH

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: Civil/Other

Minnesota Gun Owners Caucus;
Plaintiff,

Court File No. _____

v.

**AFFIDAVIT OF BRYAN STRAWSER
IN SUPPORT INJUNCTIVE RELIEF**

City of Saint Paul, Minnesota
Defendant.

I, Bryan Strawser, declare under penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct:

1. I am over the age of 18 and am competent to testify to the matters herein.

The facts stated in this affidavit are based on my personal knowledge.

2. I am the Chair and President of the Minnesota Gun Owners Caucus (“MNGOC”), the Plaintiff in this action. MNGOC is Minnesota’s largest gun rights advocacy organization, dedicated to protecting the right of law-abiding citizens to keep and bear arms.

3. MNGOC is a nonprofit organization.

4. MNGOC has thousands of members across Minnesota, including many who reside, work, and travel within the City of Saint Paul, including:

a. Ashley Scharffbillig, a member of MNGOC and resident of Saint Paul’s

Ward 6, holds a valid Minnesota Permit to Carry. They lawfully own firearms and accessories affected by the Ordinance and now refrain from lawful activities they would otherwise engage in because of its vague and restrictive provisions.

- b. Mitchell Berg, a life member of MNGOC and resident of Saint Paul's Ward 4, holds a valid Permit to Carry and owns multiple arms and accessories affected by the Ordinance. They now refrain from carrying due to uncertainty about its scope and enforcement.
- c. Brandon Flesher, a member of MNGOC and resident of Saint Paul's Ward 2, holds a valid Permit to Carry and lawfully owns firearms and accessories affected by the Ordinance. They now refrain from carrying in public in Saint Paul due to uncertainty over the Ordinance's application and enforcement.

5. Each of these members has conveyed to me that the Ordinance's vague and uncertain provisions, now passed, will chill their lawful exercise of rights under state law (and the Second Amendment) and cause them to refrain from the above conduct they would otherwise lawfully and confidently undertake.

6. I am a resident of Roseville, MN and hold a valid Permit to Carry and regularly travel into Saint Paul. Because of the Ordinance's vague provisions, I now refrain from carrying a privately manufactured firearm in the city.

7. On November 12, 2025, the Saint Paul City Council voted to approve Ordinance 25-65 (“the Ordinance”), which creates a new Chapter 225A of the Saint Paul Legislative Code to regulate firearms.

8. The Ordinance bans the possession of common firearms defined as “Assault weapon[s],” magazines defined as “Large-capacity magazine[s],” and other related components.

9. The Ordinance states that it will not take effect until the repeal or amendment of Minnesota’s statewide firearm preemption statute, Minn. Stat. § 471.633.

10. Minn. Stat. § 471.633 explicitly states that the legislature “preempts all authority” of a city to regulate firearms and that any “Local regulation inconsistent with this section is void.”

11. Minn. Stat. § 624.714, subd. 23 prohibits local governments from restricting the lawful carrying or possession of firearms by individuals with valid permits to carry.

12. MNGOC and its members are being immediately and irreparably harmed by the existence of this Ordinance, and its illegal passage.

13. First, the City’s act of passing the Ordinance is an unconstitutional overreach of its power. As a municipality, the City’s authority is limited by the Minnesota Constitution and state law.

14. Second, the Ordinance's plain language creates significant legal uncertainty for our members in Saint Paul. They are now forced to question whether it is prudent to purchase, possess, or carry firearms and accessories that are legal under state law but are banned by this dormant city ordinance.

15. This chilling effect constitutes an immediate injury. It forces our members into a coercive choice: either refrain from exercising their constitutional rights today or risk becoming criminals overnight due to unclear enforcement or upon a future legislative vote at the State Capitol.

16. MNGOC believes that unless the City is immediately enjoined from publishing or codifying this void Ordinance, this irreparable harm to our members will continue.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: November 12, 2025

/s/ Bryan Strawser

Bryan Strawser
Chair - Minnesota Gun Owners Caucus
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