

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

RESOLUTION NUMBER 2752

**RESOLUTION AUTHORIZING CREATION AND USE OF THE
EXTREME RISK PROTECTION ORDER FUND**

WHEREAS, the Cannon Falls Police Department and the City of Cannon Falls is located in Goodhue County; and

WHEREAS, the State of Minnesota passed a law during the 2023 legislative session that created Extreme Risk Protection Orders (“ERPO”), the intent of which is to have a court determine if it is necessary to remove firearms from a person who poses a significant danger of bodily harm to other persons or is at significant risk of suicide by possessing a firearm; and

WHEREAS, under Minn. Stat. § 624.7175, an individual subject to an ERPO may transfer their firearm(s) to a federally licensed firearms dealer or a law enforcement agency. The transfer can be temporary or permanent. If a person subject to an ERPO chooses to permanently transfer their firearms to a law enforcement agency, the agency must compensate the person at fair market value and may not charge any processing or other fees; and

WHEREAS, the City Council of the City of Cannon Falls has the authority to establish fund and designate the City employees who are authorized to draw money from the fund solely for purchasing firearms from persons subject to ERPOs; and

WHEREAS, the purpose of the fund is to enable the City and Police Department to comply with applicable law, including authorization for expenditures and the new ERPO requirements, in an efficient and orderly manner.

NOW, THEREFORE, BE IT RESOLVED, that the City of Cannon Falls City Council authorizes the creation and use of the Extreme Risk Protection Order Fund (“Fund”), as follows:

1. The Fund shall be used to purchase firearms from individuals subject to an ERPO for fair market value pursuant to Minn. Stat. § 624.7175.
2. The City of Cannon Falls and the Cannon Falls Police Department shall utilize a federally licensed firearms dealer to determine the value of the firearm(s) to be purchased.
3. The purchase price as determined by the federally licensed firearms dealer shall be considered to be fair market value.
4. The total amount of the Fund shall be Five Thousand Dollars (\$5000.00).

5. The City shall sell the firearm(s) purchased from an individual subject to an ERPO to the federally licensed firearms dealer in exchange for the amount that was determined to be fair market value and all money received shall be used to replenish the Fund; and

6. The Fund shall be maintained in the City's general fund and all firearm expenditures and incoming replenishment money shall be recorded.

7. The persons authorized to approve payment from the Fund to purchase firearms from individuals subject to an ERPO shall be the Chief of Police, Police Lieutenant and the City Administrator.

8. The persons authorized to sell the firearms purchased by the City shall be the Chief of Police, Police Lieutenant and the City Administrator.

ADOPTED by the City Council of Cannon Falls this 7th day of May, 2024.

CITY OF CANNON FALLS

Matt Montgomery
Mayor

ATTEST: _____
Neil L. Jensen
City Administrator