

RESOLUTION 2013-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO IN DEFENSE OF THE CONSTITUTIONS OF THE UNITED STATES OF AMERICA AND COLORADO

WHEREAS, in that the United States Supreme Court has declared... "The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to super cede any existing law. Indeed insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it." NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886); and

THEREFORE, BE IT RESOLVED that Archuleta County, by and through its Board of County Commissioners, holds that any act, law, treaty, order, rule or regulation of the government of the United States, or Colorado Legislature, which violates the constitution of the United States and/or of Colorado, is null, void and unenforceable in Archuleta County,

BE IT FURTHER RESOLVED that Archuleta County is thereby to be designated a "Liberty Zone" in defense of said Constitutions and for retaining liberties guaranteed by said Constitutions.

APPROVED AND ADOPTED THIS ____ day of April, 2013.

The Board of County Commissioners
Archuleta County, Colorado

Attest:

Chairman

Dated: _____,2013

June Madrid
Archuleta County Clerk and Recorder