

Boulder County, Colorado, Climate Bill of Rights and Protections

Be it therefore enacted:

§1.0 Findings

We the people of Boulder County, Colorado, declare alignment with the Seven Generations principle of the indigenous First Nations, understand the environment as common to all and base our actions upon its indefinite protection;

We the People of Boulder County, Colorado, find that global environmental destruction, which includes degradation to the climate, ecosystems, flora, fauna, land, and water, constitutes an emergency that threatens our very survival;

We the People of Boulder County, Colorado, find that the extraction of coal, oil and gas, and disposal of drilling waste within the County would significantly contribute to global environmental destruction; and therefore,

We the People of Boulder County, Colorado, declare that we have a right to a healthy climate, and that right is violated by the extraction of coal, oil and gas, and disposal of drilling waste within the County.

§2.0 A County of Boulder, Colorado, Climate Bill of Rights

- (a) *Right to a Healthy Climate.*** All residents and ecosystems of the County of Boulder possess a right to a healthy climate, which shall include the right to be free from all activities that interfere with that right, including the extraction of coal, oil, or gas, or disposal of drilling waste within the County of Boulder.
- (b) *Right to Local, Community Self-Government.*** All residents of the County of Boulder possess the right to a form of governance which recognizes that all power is inherent in the people of the County and that all free governments are founded on the people's authority and consent. Laws adopted by the people of the County shall only be preempted or nullified if they interfere with rights secured by the state or federal constitution to the people of the County, or if they interfere with protections provided to the people or ecosystems of the County by state, federal, or international law.
- (c) *Right to Enforce.*** All residents of the County of Boulder possess the right to enforce this law. To secure this right, entities which violate the people's right to a healthy climate shall not be deemed to be "persons," nor possess any other legal rights, privileges, powers, or protections which would interfere with the enforcement of that right.
- (d) *Right to Defense.*** Residents of the County of Boulder possess the right to have the County government of Boulder defend this law on the basis that a constitutional right of local, community self-government exists, that this law is an assertion of that right as it seeks to expand the rights of the people of the County of Boulder, and that the doctrines of ceiling preemption, municipal subordinancy to state government, or corporate "rights" unconstitutionally violate the right of the residents of the County of Boulder to local, community self-government.

§3.0 Direct Enforcement

- (a) *Direct Action Enforcement.*** If the County of Boulder fails to enforce or defend this law, or a court fails to uphold this law, any person may enforce this law through nonviolent direct action. If nonviolent direct action is taken to enforce the provisions of this law, law enforcement personnel employed by the County of Boulder shall be prohibited from arresting or detaining persons directly enforcing this law. "Direct action" as used by this provision shall mean any activities carried out to directly enforce the prohibitions of this law.