



## **NOTICE OF PUBLIC MEETING**

The Westmoreland County Board of Supervisors has been asked to consider the adoption of a resolution making Westmoreland County a **Second Amendment Sanctuary**. **The Board will receive public comment regarding this request on Wednesday, December 11, 2019, at 6:00 p.m. Comments will be received at the discretion of the Board Chairman.** The meeting will be held in the public meeting room at the front entrance of the George D. English, Sr. Memorial Building, 111 Polk Street in Montross, Virginia. A sign in sheet will be available at the meeting. Comments will be heard in order as found on the sign in sheet.

Individuals with a disability, as defined in the Americans with Disabilities Act of 1990 (ADA), desiring to attend this public hearing should contact the County Administrator's office prior to the meeting to ensure appropriate accommodations are provided.

**BY ORDER OF THE WESTMORELAND COUNTY BOARD OF SUPERVISORS**  
**Norm Risavi, County Administrator**

## RESOLUTION OF WESTMORELAND COUNTY BOARD OF SUPERVISORS

**WHEREAS**, the Second Amendment of the United States Constitution reads "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed."; and

**WHEREAS**, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

**WHEREAS**, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and

**WHEREAS**, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and

**WHEREAS**, Article I, Section 13, of the constitution of Virginia provides "that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed"; and

**WHEREAS**, Article I, section 1, of the constitution of Virginia reads "That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into the state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety; and

**WHEREAS**, Article I, section 2 of the constitution of Virginia reads "that all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them."; and

**WHEREAS**, certain legislation that has or may be introduced in the Virginia General Assembly, and certain legislation which has or may be introduced in the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution and Article I, Section 13 of the Constitution of Virginia; and

**WHEREAS**, the Westmoreland County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Westmoreland County to keep and bear arms; and

**WHEREAS**, the Westmoreland County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Westmoreland County to keep and bear arms; and

**WHEREAS**, the Westmoreland County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Westmoreland County to keep and bear arms; and

**WHEREAS**, the Westmoreland County Board of Supervisors wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Westmoreland County to keep and bear arms, including through legal action, the power to appropriate public funds, the right to petition for redress of grievances, and the power to direct the employees of Westmoreland County to not enforce any unconstitutional law.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Westmoreland County, Virginia:

That the Westmoreland Board of Supervisors hereby declares Westmoreland County, Virginia, as a "Second Amendment Sanctuary"; and

That the Westmoreland Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Westmoreland County, Virginia; and

That the Westmoreland Board of Supervisors hereby expresses its intent that public funds of the county not be used to restrict the Second Amendment rights of the citizens of Westmoreland County, or to aid federal or state agencies in the restriction of said rights; and

That the Westmoreland Board of Supervisors hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

Date of Adoption: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors  
Westmoreland County

The undersigned clerk of the Board of Supervisors of the County of Westmoreland, hereby certifies that the resolution set forth above was adopted during an open meeting on \_\_\_\_\_, by the Board of Supervisors with the following votes: