

RESOLUTION

WHEREAS, all members of the Isle of Wight County Board of Supervisors have taken an oath to defend the Constitution of the United States, including the Second Amendment of the United States Constitution which 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 affirmed an individual's right to possess firearms, unconnected with service in a militia for lawful purposes such as self-defense within the home and 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 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 reads "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 a 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, the Board has no legislative, regulatory or enforcement authority related to "the purchase, possession, transfer, ownership, carrying, storage or transporting firearms, ammunition or components or combination thereof," as provided by Section 15.2-915 of the Code of Virginia, 1950, as amended, and has no authority over the independent execution of the duties of the constitutional officers involved in law enforcement; and

WHEREAS, the right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right by the people of Isle of Wight County, Virginia; and

WHEREAS, the people of all Virginia counties derive benefit from all safe forms of firearms recreation, hunting, and shooting using all types of firearms allowable under the United States Constitution; and

WHEREAS, the Isle of Wight County Board of Supervisors expresses the intent to stand as a Constitutional County for the Second Amendment rights of the law-abiding citizens of Isle

of Wight County, Virginia, and is voicing its opposition to any unconstitutional infringement of those rights.

NOW, THEREFORE, BE IT RESOLVED by the Isle of Wight County Board of Supervisors this the 12th day of December, 2019, that it hereby declares Isle of Wight County, Virginia, as a "Constitutional County."

BE IT FURTHER RESOLVED that the Board of Supervisors fully affirms its support of the rights ensured and protected by the Constitutions of the United States and Virginia, and hereby expresses its intent to uphold the Second Amendment rights of the Citizens of Isle of Wight County, Virginia.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors does hereby oppose the enactment of any legislation that would unconstitutionally infringe upon the right of law-abiding citizens to keep and bear arms and urges our elected officials to support said rights.

Adopted this 12th day of December, 2019.



William M. McCarty

Carey Mills Storm, Clerk

Approved as to form:



Robert W. Jones, Jr.