

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 16th DAY OF DECEMBER, 2019 AT 6:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

R-FY-20-64
RESOLUTION REAFFIRMING THE COUNTY OF MONTGOMERY'S
OBLIGATION TO UPHOLD
THE SECOND AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES
AND ARTICLE 1, SECTION 13 OF THE CONSTITUTION
OF THE COMMONWEALTH OF VIRGINIA

On a motion by Christopher A. Tuck, seconded by Darrell O. Sheppard and carried,

WHEREAS, Section 15.2-1522 of the Code of Virginia requires each member of the Board of Supervisors of the County of Montgomery to take an oath of office to solemnly swear to support the Constitution of the United States and the Constitution of the Commonwealth of Virginia; and

WHEREAS, The Second Amendment of the U.S. Constitution declares that the right of the people to keep and bear arms shall not be infringed; and

WHEREAS, Article 1, Section 13 of the Constitution of the Commonwealth of Virginia provides the same constitutional protections as the Second Amendment, guaranteeing that 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 all individuals rights to possess firearms, unconnected with service in militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, That the Governor and the Virginia General Assembly should not propose and adopt any laws or regulations that are inconsistent with the ruling of the United States Supreme Court in District of Columbia v. Heller and the rights of law abiding citizens to keep and bear arms guaranteed by the Second Amendment; and

WHEREAS, It is the duty and obligation of the Board of Supervisors of the County of Montgomery, Virginia pursuant to the oath each Board member has sworn to uphold upon taking office, to support, uphold and defend the United States and Virginia Constitutions for the protection and general welfare of its citizens; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia wishes to express the Board's continued commitment to uphold the United States and Virginia Constitution that supports its citizens' constitutional right to keep and bear arms without infringement and the Board's intent to not take action contrary to the rights conferred by the Second Amendment and Article 1, Section 13.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby reaffirms its duty to uphold the Constitution of the United States and the Constitution of the Commonwealth of Virginia, including the rights the Second Amendment and Article 1, Section 13 afford the citizens of the County of Montgomery, Virginia's to keep and bear arms without infringement; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the governing body of the County of Montgomery, Virginia shall continue to honor and uphold the oath each member of the Board of Supervisors has taken to support and defend the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and shall not propose or enact any laws that are contrary to or in anyway erode the constitutionally protected rights and principles granted to our citizens that we all hold so dearly.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby specifically declares the County of Montgomery, Virginia's support of the Bill of Rights including and not limited to the Second Amendment of the Constitution of the United States.

The vote on the foregoing resolution was as follows:

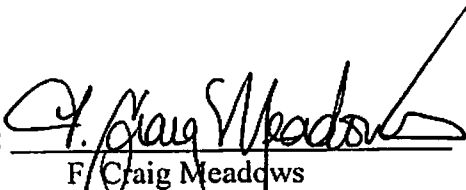
AYE

Steve R. Fijalkowski
Darrell O. Sheppard
Christopher A. Tuck
M. Todd King

NAY

Mary W. Biggs
Sara R. Bohn
April N. DeMotts

ATTEST:


F. Craig Meadows
County Administrator