

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 17th day of December, 2019:

<u>Present</u>	<u>Vote</u>
Thomas G. Shepperd, Jr., Chairman	Yea
W. Chad Green, Vice Chairman	Yea
Walter C. Zaremba	Yea
Sheila S. Noll	Nay
Jeffrey D. Wassmer	Yea

On motion of Mr. Green, which carried 4:1, the following resolution was adopted:

A RESOLUTION TO DECLARE YORK COUNTY, VIRGINIA, AS A
“CONSTITUTIONAL COUNTY”

WHEREAS, York County is the place in which freedom was won with the final battle of the Revolutionary War in 1781; and

WHEREAS, all members of the York 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, 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 of the United States Constitution and Article I, Section 13 of the Constitution of Virginia; and

WHEREAS, the Sheriff of York County has taken an oath to protect and defend the Constitution and stand with the York County Board of Supervisors' resolution declaring York a Constitutional County; and

WHEREAS, the Board of Supervisors is concerned about the passage of any bill containing language infringing on the rights of the citizens and wishes to express its deep commitment to the rights of all citizens of York County to keep and bear arms; and

WHEREAS, the Board of Supervisors expresses the intent to stand as a Constitutional County for the Second Amendment rights and to oppose, within the limits of the Constitution of the United States and 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 York County to keep and bear arms, including through legal action, the right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of December, 2019, that it hereby declares York County, Virginia, as a "Constitutional County."

BE IT FURTHER RESOLVED that the Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the Citizens of York County, Virginia.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors hereby declares its intent to oppose any infringement on the constitutional rights of law abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

A Copy Teste:


Mary E. Simmons
Deputy Clerk