

RESOLUTION OF THE EXMORE TOWN COUNCIL

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 Town Council of Exmore is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Exmore to keep and bear arms, and

WHEREAS, the Town Council of Exmore wishes to express its deep commitment to the rights of all citizens of Exmore to keep and bear arms, and

WHEREAS, the Town Council of Exmore wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Exmore to keep and bear arms, and

