



# CITY OF POQUOSON

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Office of the City Manager  
J. Randall Wheeler

December 9, 2019

**To:** City Council

**From:** Randy Wheeler, City Manager

**Subject:** Resolution Supporting the Constitution of the United States and the Constitution of the Commonwealth of Virginia

The attached resolution has been placed on the agenda per the request of the Mayor.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE POQUOSON CITY COUNCIL TO SUPPORT THE  
CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THE  
COMMONWEALTH OF VIRGINIA**

**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**, 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; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;” and

**WHEREAS**, certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the right of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and

**WHEREAS**, the Council of the City of Poquoson is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of the City of Poquoson to keep and bear arms or could begin a slippery slope of restrictions on the Second Amendment rights of the citizens of the City of Poquoson; and

**WHEREAS**, the Council of the City of Poquoson wishes to express its deep commitment to the rights of all law abiding citizens of the City of Poquoson to keep and bear arms; and

**WHEREAS**, the Council of the City of Poquoson wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of the City of Poquoson to bear arms; and

**WHEREAS**, the Council of the City of Poquoson wishes to express its intent 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 right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Poquoson, Virginia does hereby express its intent to uphold the Second Amendment rights of the citizens of the City of Poquoson; and hereby declares itself a Constitutional City in that the Council of the City of Poquoson is committed to upholding all constitutional rights of its citizens; and

That the Council of the City of Poquoson hereby declares its intent to oppose the unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient, including without limitation court action.

ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
City Clerk