

Resolution 2020-1

A Resolution Declaring the Village of Jacksonville, Athens County, Ohio a “Second Amendment Sanctuary Village” and Declaring an Emergency

WHEREAS, All duly elected public officials swear an Oath of Office which requires them to uphold the Constitution of the United States of America and the Constitution of the State of Ohio and the ordinances of the Village of Jacksonville Ohio; and

WHEREAS, The Constitution of the State of Ohio, Article 15, Section 7 states “Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office; and

WHEREAS, The Council and the Mayor of the Village of Jacksonville, Ohio have all taken such oath and believe it to be binding on them morally, ethically and legally; and

WHEREAS, We, the duly elected Council and Mayor of the Village of Jacksonville, Ohio, affirm that we will fulfill our sworn duty; and

WHEREAS, The Constitution of the State of Ohio, Article 1, Section 4 states that “The people have the right to bear arms for their defense and security”; and

WHEREAS, The Second Amendment of the Constitution of the United States of America states “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 Second Amendment of the Constitution of the United States of America was ratified in 1791, and is still Law of the Land; and

WHEREAS, The Constitution of the United State of America, Article 6 states “This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding”; and

WHEREAS, Section 9.68 of the Ohio Revised Code states that “The individual right to keep and bear arms being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio”; and

WHEREAS, the Ohio General Assembly has declared in Section 9.68 of the Ohio Revised Code, that it is proper for law-abiding people to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil actions for acting in defense of themselves or others; and

WHEREAS, the Council and Mayor of the Village of Jacksonville, Ohio fully affirm their support of the rights of law-abiding citizens to keep and bear arms and stand firm against any law or ordinance on any level of government to remove that right from any law-abiding citizen without due process; and

WHEREAS, the Council and Mayor of the Village of Jacksonville,

Ohio will not authorize any official to expend funds for the purpose of enforcing illegal and or unconstitutional laws or ordinances that seek to limit a law-abiding citizen's right to keep and bear arms; and

WHEREAS, the Council and Mayor of the Village of Jacksonville, Ohio believe the best way to prevent gun violence is to address the growing mental health crisis, hold those accountable who use a political agenda to disarm law-abiding citizens, and the enforcement of already existing criminal laws that aim to stop violence and not to limit the inalienable rights of law-abiding citizens; and

WHEREAS, the citizens of the Village of Jacksonville, Ohio derive economic benefit from lawful use of firearms, including hunting, recreation and shooting sports.

NOW, THEREFORE, BE IT RESOLVED by the Council and Mayor of the Village of Jacksonville, Ohio, by the authority granted to the Council and Mayor by the Laws of the State of Ohio and the people of the Village of Jacksonville, Ohio to stand and defend their rights and liberties, which are guaranteed by the Constitution of the United States of America and the Constitution of the State of Ohio, we hereby declare this Resolution to be a Second Amendment Preservation Resolution and declare the Village of Jacksonville, Ohio to be a “Second Amendment Sanctuary Village”; and

BE IT FURTHER RESOLVED that this Council and Mayor does hereby pledge not to appropriate funds, resources, employees, or agencies to initiate unconstitutional seizures in the Village of Jacksonville, Ohio; and

BE IT FURTHER RESOLVED that this Council and Mayor demands that state and national legislature cease and desist any

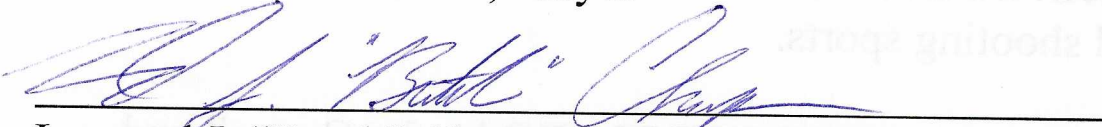
further actions restricting the rights granted to citizens by the Constitution of the United States of America, the Constitution of the State of Ohio and the Second Amendment, and instead address the real fundamental challenges in our communities.

Duly enacted under suspension of the rules this 27th day of February, 2020.

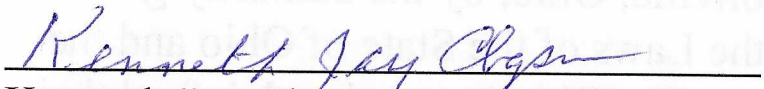
VILLAGE OF JACKSONVILLE:



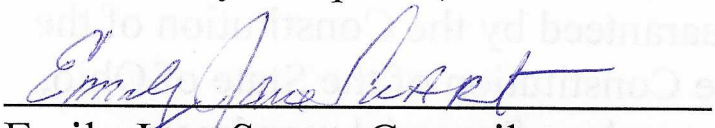
Samuel Allen Smathers, Mayor



Leonard J. "Butch" Chapman, President of Council

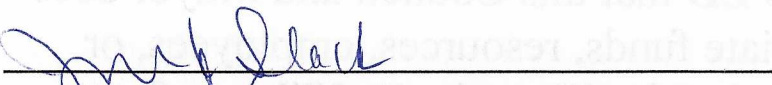


Kenneth Jay Chapman, Councilman



Emily Jane Swart, Councilwoman

David Allan Moleski II, Councilman



Jennifer Marie Slack, Councilwoman

ATTEST/SEAL:



Clerk-Treasurer/Fiscal Officer

CERTIFICATION OF CLERK/FISCAL OFFICER

The foregoing is a true copy of the original Resolution No. 2020-1.

Publication of this Resolution was made by posting a copy of the same in the following five locations within the Village, beginning on Feb. 28, 2020, and concluding on March 14, 2020 (at least 15 days later):

- Post Office
- Eagles Club
- VFW
- Town Hall
- Jerry's Bar

ATTEST:

DATE: 2/27/20

Heather Rockwell
Village Fiscal Officer

CERTIFICATION

I, Heather Rockwell, Fiscal Officer for the Village of Jacksonville, Athens County, Ohio, certify that the foregoing is a true and correct copy of the Ordinance adopted by the Village Council of the Village of Jacksonville, and appears in the Village records as Resolution No. 2020-1.

ATTEST:

DATE: 2/27/20

Heather Rockwell
Village Fiscal Officer