



**TOWNSHIP OF DOWNE
CUMBERLAND COUNTY, NEW JERSEY**

	YES	NO	ABSTAIN	ABSENT
Bart, E.	X			
Byrne, S.	X			
Burt, S.	X			
Rothman, M.	X			
Campbell, R.	X			

Resolution Number: R-37-2020 Dated: January 13, 2020 Offered By: BURT Seconded By: ROTHMAN

**RESOLUTION OF THE TOWNSHIP OF DOWNE, COUNTY OF
CUMBERLAND DECLARING DOWNE TOWNSHIP
A SECOND AMENDMENT TOWNSHIP**

WHEREAS, the Constitution of the United States of America is the supreme law of our nation, and

WHEREAS, the Second Amendment of the Constitution 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 U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed that the Second Amendment right to keep and bear arms is not connected in any way to the service of the militia, and

WHEREAS, the U.S. Supreme Court in the United States v. Miller, 307 U.S. 174 (1939) stated firearms that are part of ordinary military use (weapons of common use) that can contribute to the common defense and are protected by the Second Amendment, and

WHEREAS, there are an estimated 12 million Americans who lawfully carry concealed firearms, and

WHEREAS, abridging the rights of lawful gun owners does not reduce the criminal use of firearms by violent offenders, and

WHEREAS, New Jersey Second Amendment Society and Mark Cheeseman v. Christopher S. Porrino U.S. District Court 3rd, stated "The Second Amendment extends, prima facie to all instruments that constitute bearable arms, even those not in existence at the time of the founding.", and

WHEREAS, New Jersey Attorney General Burton Sills, who "close[ly] participated[ed] in the drafting and presentation of the [1966] Gun Control Law," and whose views New Jersey has relied upon to decide close interpretive questions concerning that legislation. See Service Armament Co. v. Hyland, 362 A.2d 13, 18, 70 N.J. 550, 560 (1976). In the lead-up to the 1966 Gun Control Law, Attorney General Sills had publicly explained that there was presently "no law against walking down the street with a weapon in your hand or on your body so long as it isn't concealed," and that individuals without concealed-carry permits were free to carry guns "in plain view", and

WHEREAS, in the A-165 Debates of 1966, Attorney General Sills explained that under the new law, "standards are set forth to determine if the issuance of a permit to ... carry a pistol or revolver would be in the interest of public health, safety or welfare," and "(f)or those who wish to carry a pistol or revolver, permits will be required as they are under present New Jersey law, and

WHEREAS, violations of existing laws, statutes and regulations are already criminal offenses, many being felonies, and

WHEREAS, gun control laws, including a plethora of current proposed legislation, are not evidence-based, and

WHEREAS, New Jersey's Gun Control Law is highly purposed and conscientiously designed toward preventing criminal and other unfit elements from acquiring firearms while enabling the fit elements of society to obtain them with minimal burdens and inconveniences." [Burton v. Sills 53 N.J. 86 (1968) 248 A.2d 521 at 105.], and

WHEREAS, a law abiding citizen of the State of New Jersey who possess a N.J. Firearms Purchaser Identification Card has met the burden of proof to be a law-abiding citizen and is immune from further legislation and laws that are in violation of the Constitution of the Unites States of America.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Downe, County of Cumberland and State of New Jersey as follows:

The Township Committee declares the Township of Downe to be a 2nd Amendment / Lawful Gun Owner Township as defined herein:

a. The Township Committee supports the rights of lawful gun owners to lawfully use firearms; to defend themselves, their loved ones and other innocents; to lawfully hunt to provide sustenance for their families; and to lawfully participate in shooting sports up to and including Olympic sports.

b. The Township Committee opposed further interference with, or abridging of, the rights of lawful gun owners.

c. The Township Committee opposes gun control, "gun safety" legislation, or "red flag laws", State, Federal or local. Agenda No. XI 26, Page 2 of 2.

d. The Township Committee espouses holding accountable the violent criminal offenders, rather than irrational and/or disproven attempts to control lawful tools of self-defense, hunting and sport.

e. The Township of Downe recognizes said Township is not immune from past, present or future laws and/or legislation passed by the N.J. Legislature regarding State and local firearm laws or statutes. Therefore, all residents of Downe Township can be prosecuted for ignoring or breaking present State laws in force.

THIS RESOLUTION was adopted by the Township Committee of the Township of Downe on January 13, 2020.

ATTEST:


Nadine E. Lockley, Clerk


Robert G. Campbell, Mayor

C E R T I F I C A T I O N

I, **NADINE E. LOCKLEY, RMC, CMR**, Municipal Clerk of the Township of Downe, County of Cumberland, State of New Jersey do hereby certify the foregoing to be a true and accurate copy of the Resolution adopted by the Downe Township Committee of the Township of Downe, County of Cumberland, State of New Jersey, at the Regular Meeting held on January 13, 2020 at 7:00 pm at the Municipal Complex.

Date

NADINE E. LOCKLEY, RMC, CMR
Municipal Clerk