

RESOLUTION NO. 2009-011
**A RESOLUTION TO PROHIBIT HANDGUNS IN PUBLIC MUNICIPAL PARKS,
NATURAL AREAS, HISTORIC PARKS, NATURE TRAILS,
CAMPGROUNDS, FORESTS, GREENWAYS, WATERWAYS,
OR OTHER SIMILAR PUBLIC PLACES.**

WHEREAS, prior to September 1, 2009, *Tennessee Code Annotated §39-17-1311*, essentially made carrying weapons in municipally owned parks, playgrounds, civic centers, or other building facilities a Class A misdemeanor; and

WHEREAS, Public Chapter No. 428 (House Bill 716 and Senate Bill 976) of the 106th General Assembly, as adopted, removed the above mentioned prohibitions in public parks for persons authorized to carry handguns pursuant to *Tennessee Code Annotated §39-17-1351*; and

WHEREAS, Public Chapter No. 428 of the 106th General Assembly permits municipal and county governments to prohibit, by resolution, the carrying of handguns while within a public park that is owned or operated by a county, a municipality, or their instrumentalities; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Bluff City desires to continue prohibiting the carrying of handguns in municipal parks.

**THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND
ALDERMEN OF THE TOWN OF BLUFF CITY, TENNESSEE:**

1. Any person authorized to carry a handgun under *Tennessee Code Annotated §39-17-1381*, is prohibited from possessing any handgun while within a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the Town of Bluff City or any of its instrumentalities. This prohibition of handguns within any municipal park applies to the entire park, notwithstanding the provisions of *T.C.A. §39-17-1311(b)(1)(I)*. However, this

resolution does not prohibit lawful possession of any handgun in accordance with *T.C.A. §39-17-1311(b)(1)(A)-(H)*.

2. The Town of Bluff City shall display signs in prominent locations about the public recreational property, at least six inches (6”) high and fourteen inches (14”) wide, stating:

MISDEMEANOR, STATE LAW PRESCRIBES A MAXIMUM PENALTY OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

3. If a part of this Resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

4. That this Resolution shall become effective from and after its final passage the public welfare requiring it.

Adopted this _____ day of _____, 2009.

Todd Malone, Mayor

Attest: _____
Judy A. Dulaney, City Recorder

Approved as
to form: _____
J. Paul Frye, City Attorney