

RESOLUTION NO. 2009-05

**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 government 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 Town of Ashland City desires to continue prohibiting the carrying of handguns in municipal parks with the exception of Riverbluff Park and Bull Run Park as previously passed by Resolution 2008-01.

**BE IT RESOLVED BY THE Mayor and Council OF THE TOWN OF ASHLAND CITY THAT:**

SECTION 1. Any person authorized to carry a handgun under Tennessee Annotated, § 39-17-1351, 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 Ashland City or any of its instrumentalities with the exception of Riverbluff Park, Bull Run Park, and Rails to Trails. The possession of firearms shall only be allowed if the weapon is a long gun which is unloaded and properly cased at all times in transit to the boat ramp or to property owned by TWRA only with the sole purpose of leaving the facility during legal hunting seasons. No other areas of these parks will be allowed to carry a weapon. 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).

SECTION 2. The Town of Ashland City shall display signs in prominent locations about the public recreational property excluding Riverbluff Park, Bull Run Park and the Rails to Trails, 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.

SECTION 3. The Town of Ashland City shall display signs in prominent locations about the public recreational property, at least six inches (6") high and fourteen inches (14") wide stating:

MISDEAMEANOR 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. THE EXCEPTION IS LONG GUNS WHICH ARE UNLOADED AND PROPERLY CASED AT ALL TIME IN TRANSIT TO THE BOAT RAMP OR PROPERTY OWNED BY TWRA ONLY WITH THE SOLE PURPOSE OF LEAVING THE FACILITY DURING LEGAL HUNTING SEASONS. NO OTHER AREAS OF THESE PARKS WILL BE ALLOWED TO CARRY A WEAPON.

SECTION 4. 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.

SECTION 4. This resolution takes effect from and after its passage, the welfare of the Town of Ashland City requiring it.

Adopted: 8-11-09

  
MAYOR

  
CITY RECORDER