

AN ORDINANCE BY THE CITY OF NELSON, GEORGIA

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF NELSON, GEORGIA, TO AMEND PROVISIONS REGARDING THE REQUIREMENT FOR HEADS OF HOUSEHOLDS TO MAINTAIN FIREARMS.

WHEREAS, the duly elected governing authority of the City of Nelson, Georgia is empowered to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government pursuant to O.C.G.A. § 36-35-3; and

WHEREAS, the duly elected governing authority of the City of Nelson, Georgia is the Mayor and Council thereof;

WHEREAS, the United States Supreme Court has recognized the Second Amendment rights of law-abiding, responsible citizens to possess a firearm in the home to defend their families and homes; and

WHEREAS, many members of the City Council believe that possessing a firearm in the home is an effective means to defend residents and the community; and

WHEREAS, the City Council also recognizes that there are other means available to defend families and homes, and the United States Constitution protects the rights of Americans who choose not to possess a firearm in the home;

NOW THEREFORE, NOW THEREFORE, THE COUNCIL OF THE CITY OF NELSON HEREBY ORDAINS:

Section 1

That Chapter 38 of the Code of the City of Nelson be amended as follows to add subsection (c) to Section 38-6 of Article I of said Chapter:

“(c) Because the United States Constitution protects the rights of Americans to choose not to own or maintain a gun in their homes, subsections (a) and (b) of the Family

Protection Ordinance are not enforceable and shall never be enforced and no disability, penalty or adverse consequence shall attach to any violation thereof.”

Section 2

It is declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this amendment are severable; and if any phrase, clause, sentence, paragraph or section hereof shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this amendment.

All other provisions of the Code of Ordinances in conflict with this amendment are hereby repealed.

The adoption date of this ordinance is the date set forth below, and the effective date of this ordinance shall be ten (10) days after its date of adoption.

ORDAINED this ____ day of _____, 20____, the public health, safety and general welfare demanding it.

Mayor Pro Tem
City of Nelson

Attest:

CITY CLERK