

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 055 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DECLARING WEST MILFORD A SECOND AMENDMENT TOWNSHIP

WHEREAS, the Second Amendment to the United States Constitution provides: “A well regulated militia necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed”; and

WHEREAS, in District of Columbia v. Heller, 554 U.S. 570 (2008) the United States Supreme Court affirmed that the Second Amendment protects an individual right of law-abiding citizens to keep and bear arms, and is unconnected to militia or military service; and

WHEREAS, in Heller, the United States Supreme Court further explained that the “Second Amendment does not protect those weapons [which are] not typically possessed by law-abiding citizens for lawful purposes ...” Id. at 625; and

WHEREAS, abridging the rights of law-abiding gun owners that possess and use firearms for lawful purposes does not reduce the criminal use of firearms by violent offenders for unlawful purposes; and

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

WHEREAS, New Jersey gun control laws are “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. Stills, 53 N.J. 86 (1968); and

WHEREAS, after a law-abiding citizen has completed an application to purchase a handgun and for N.J. Firearms Purchaser Identification Card, and the Chief of Police of the Township of West Milford has thoroughly reviewed and approved such applications in accordance with applicable laws of this State, upon issuance of a permit to purchase a handgun and/or a N.J. Firearms Purchaser Identification Card that citizen has established that they are of good character, fitness and lawfully qualified to purchase and possess a firearm unless and until they otherwise become unqualified.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Township is hereby declared a “Second Amendment Lawful Gun Owner Township” as further described in detail as follows:

- i. The Township supports the rights of lawful gun owners to lawfully use firearms for self-defense, to lawfully hunt, and to lawfully participate in shooting sports up to and including Olympic sports in accordance with Federal and State laws;
- ii. The Township opposes interference with, or infringement of, the rights of law-abiding citizens to legally purchase and lawfully own, possess, and use firearms in accordance with Federal and State laws;
- iii. The Township espouses to hold accountable and protect against violent criminal offenders and those who are unqualified and/or unfit to purchase, own, possess, and use firearms instead of irrational and/or disproven attempts to control lawful use of firearms for self-defense, hunting and sport;

- iv. The Township recognizes that it and its residents must at all times comply with all applicable Federal and State laws and regulations, and this resolution shall in no way be interpreted or construed as supporting the illegal purchase, ownership, possession and/or use of a firearm;
- v. Nothing in this Resolution shall be deemed to be the law of the Township of West Milford, nor shall it change, infringe upon or enhance any rights; and
- vi. This Resolution is a statement of opinion of the Mayor and Counsel of the Township of West Milford, and it is not binding upon any citizen.

Adopted: January 20, 2021

Adopted the 20th day of January, 2021
and certified as a true copy of an original.

William Senande, Township Clerk