

RESOLUTION NO. 2021-03

**SECOND AMENDMENT SANCTUARY RESOLUTION
FOR
LOWER MIFFLIN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF LOWER MIFFLIN
TOWNSHIP, CUMBERLAND COUNTY PENNSYLVANIA, DECLARING LOWER
MIFFLIN TOWNSHIP A SECOND AMENDMENT SANCTUARY TOWNSHIP
PURSUANT TO THE CONSTITUTIONS OF THE UNITED STATES OF AMERICA
AND THE COMMONWEALTH OF PENNSYLVANIA.**

Section 1. TITLE

The title of this Resolution shall be the “**Second Amendment Sanctuary Resolution**.”

Section 2. FINDINGS

The people of Lower Mifflin Township, Cumberland County, Pennsylvania, find and declare:

1. The **Constitution of the United States** is the supreme law of our nation; and,
2. Acting through the **United States Constitution**, the people created government to be their agent in the exercise of a few defined powers, while reserving to the citizens the right to decide on matters which concern their lives, liberty, and property in the ordinary course of their affairs; and,
3. The **Second Amendment to 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,
4. 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 service in a militia. Justice Antonin Scalia’s prevailing opinion stated that the Second Amendment protects an individual’s right to possess a firearm unconnected with service in a militia, and the right to use that firearm for traditionally lawful purposes, such as self-defense within the home; and,
5. The right of the people to keep and bear arms is further protected from infringement by state and local governments under the **Ninth, Tenth, and Fourteenth Amendments to the Constitution of the United States of America**; and,

6. The **Fourteen Amendment to the Constitution** states, “no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;” and,
7. The Supreme Court of the United States recognized in *McDonald v. City of Chicago*, that the Second Amendment to the Constitution was incorporated by the Fourteenth Amendment and thereby made applicable to the States; and
8. **Article I, Section 21, of the Pennsylvania State Constitution** states that, “The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.”

Section 3. ACTION

NOW THEREFORE, BE IT RESOLVED, through the enactment of this Resolution, Lower Mifflin Township, Cumberland County, Pennsylvania, is hereby declared to be a Second Amendment Sanctuary Township and as such shall preserve for the citizens of Lower Mifflin Township, their right to bear arms as guaranteed by the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania.

Section 4. EFFECTIVE DATE

This Resolution shall become effective immediately upon adoption and approval by Lower Mifflin Township.

RESOLVED, ENACTED AND ADOPTED by the Supervisors of Lower Mifflin Township, Cumberland County, Pennsylvania, this 29th day of April, 2021, in lawful session, duly assembled.

LOWER MIFFLIN TOWNSHIP

ATTEST:

Brandi Lay
Brandi Lay, Township Secretary

Clinton Barrick
Clinton Barrick, Chairman

Franklin Oiler
Franklin Oiler, Vice Chairman

Jacob Fealtman
Jacob Fealtman, Supervisor