

RESOLUTION NO. 2009-23

A RESOLUTION TO PROHIBIT HANDGUNS IN PUBLIC MUNICIPAL PARKS, NATURAL AREAS, HISTORIC PARKS, NATURE TRAILS, 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 City of Franklin, Tennessee desires to continue prohibiting the carrying of handguns in municipal parks; now, therefore:

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

SECTION 1. Any person authorizedⁱ to carry a handgun under *Tennessee Code Annotated* § 39-17-1351, is prohibited from possessing any handgun while within a public park, natural area, historic park, nature trail, forest, greenway, waterway, or other similar public place, including facilities, that is owned or operated by the City of Franklin, Tennessee 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).ⁱⁱ However, this resolution does not prohibit lawful possession of any handgun in accordance with T.C.A. § 39-17-1311(b)(1)(A)-(H).ⁱⁱⁱ

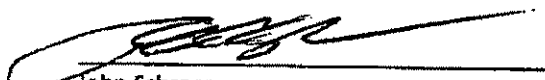
SECTION 2. The City of Franklin, Tennessee shall display signs in prominent locations about the public recreational property, at least six inches (6") high and fourteen inches (14") wide, stating:

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) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

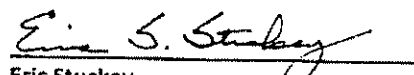
SECTION 3. If a part of this Resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

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

Adopted: July 28, 2009


John Schroer
Mayor

Attest:


Eric Stuckey
City Recorder

ⁱ Any person who is not authorized to carry a handgun under state law and who possesses a handgun in a park or other public area with the intent to go armed would be in possible violation of T.C.A. § 39-17-1307, which is a Class E felony.

ⁱⁱ The state statute requires the prohibition of handguns to apply to the entire park. The statute does not mention the other recreational areas in this proviso.

ⁱⁱⁱ The state statute allows for the lawful possession of handguns in numerous circumstances, including but not limited to military personnel, civil officers, reserve officer training corps pupils and law enforcement officers in discharge of their official duties; private police employed by the municipality; persons who are either hunting on municipal land designated as open to hunting, traversing municipal property to gain access to hunting lands, conducting or attending a gun show, picking up or delivering passengers who do not use the weapon in any way, or a person permitted to sport or target shoot; or a security guard who meets the requirements of T.C.A. Title 62, Chapter 35.



HISTORIC
FRANKLIN
TENNESSEE

July 6, 2009

TO: Board of Mayor and Alderman

FROM: Lisa R. Clayton, Parks Director
Vernon Gerth, ACA Community & Economic Development
Jackie Moore, Police Chief
Eric Stuckey, City Administrator

SUBJECT: Handguns in Parks

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Alderman (BOMA) a resolution to prohibit handguns in all City of Franklin public parks, natural areas, historic parks, nature trails, forests, greenways, waterways, or other similar public places.

Background

On May 26, 2009, the Tennessee State Legislature passed House Bill 716/Senate Bill 976 which put in place Public Chapter No. 428 authorizing handgun carry permit holders to lawfully possess handguns in federal, state and local parks (Attachment A). The new law goes into effect on September 1, 2009. Recognizing the different needs and concerns of various communities across the state, the law includes an "opt out" provision through which cities and counties may exclude their parks by passing a resolution and other compliance procedures. A legal analysis from the University of Tennessee Municipal Technical Advisory Service (MTAS) is attached to this memorandum (Attachment B). Under the legislation, the City could elect to prohibit handguns in specific parks while allowing them in other. The prohibition does not need to be throughout the City's park system. Should a city elect to prohibit handguns in their local parks, the prohibition must apply to the entire park. The City is not able apply permit handguns in some portion of a park and not others.

Currently, the City of Franklin prohibits guns within the entire park system. The prohibition of handguns in parks has been the City policy since at least 1970. It has been the philosophy in the past that allowing the public to carry weapons in the parks could jeopardize the safety of visitors and the many children that participate in sports/activities on any given day. Given the highly active nature of our parks and the heavy usage by children and families, it has been the judgment of the City that prohibition of handguns was appropriate.

In examining this issue, information has been collected regarding criminal offenses and police calls generated in City park facilities. Attachment C provides a summary of incidents within City parks over the past three years.

Financial Impact

No direct financial impact is anticipated as a result of this new legislation. An "opt out" action prohibiting handguns would represent no change from the City's current operations. Should handguns be permitted, park and public safety operations could be impacted in some situations. Depending on the size of any special event, it is possible that the presence of law enforcement officers may be required more often than during past events, i.e. bike officers or segways during baseball tournaments.



HISTORIC
FRANKLIN
TENNESSEE

Options

BOMA may vote to continue the prohibition of handguns in City parks by “opting out” of the new state law or allow permit holders to carry handguns in City parks by taking no action. The law authorizing handgun carry permit holders to lawfully possess handguns in federal, state and local parks in Tennessee goes into effect on September 1, 2009. Attachment D is a draft resolution opting out of the state law allowing permit holders to carry handguns in City parks.

Recommendation

It is recommended that the City continue its longstanding policy of prohibiting handguns in City parks and “opt-out” of the newly passed state law. This judgment is based on the highly active nature of our parks and on the heavy usage of City parks for youth sports, children’s activities, and family events. In addition, statistics compiled by the Franklin Police Department do not show a history of violent crime in City parks to support the need for visitors to carry handguns. The law anticipated that local governments should be able to exercise this sort of judgment based on their community needs and the nature and character of their parks system. Staff recommends that the prohibition be applied to all City of Franklin parks and that the policy not be piecemealed among various park properties.

Attachment A:

House Bill No. 716/Senate Bill No. 976
Establishing Public Chapter 428

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 428

HOUSE BILL NO. 716

By Representatives Niceley, Fincher, Watson, Curtis Johnson, Dean, Rich, Jim Cobb, Evans, Carr, Hill, Todd, Faulkner, Lollar, Campfield, Bell, Kelsey, Swafford, Hensley, Bass, McCormick, Weaver

Substituted for: Senate Bill No. 976

By Senators Beavers, Faulk, Crowe, Gresham

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 70, relative to firearms.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1311(b)(1), is amended by adding the following new subdivisions thereto:

(I) Persons possessing a handgun, who are authorized to carry such handgun pursuant to § 39-17-1351, while within or on 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 state, a county, a municipality or instrumentality thereof, except as otherwise provided in subsection (d);

(J) Persons possessing a handgun, who are authorized to carry such handgun pursuant to § 39-17-1351, while within or on property designated by the federal government as a national park, forest, preserve, historic park, military park, trail, or recreation area, to the extent permitted by federal law.

SECTION 2. Tennessee Code Annotated, Section 39-17-1311, is amended by deleting subsection (d) in its entirety and substituting instead the following new subsections:

(d) Notwithstanding the provisions of subdivision (b)(1)(I), any municipality or county may prohibit, by resolution adopted by a majority vote of its legislative body, persons authorized to carry a handgun pursuant to § 39-17-1351, from possessing such handgun while within or on a public park that is owned or operated by a county, a municipality or instrumentality thereof. If a legislative body elects to prohibit the possession of handguns within a park, the prohibition shall apply to the entire park, notwithstanding the provisions of § 39-17-1311(b)(1)(I). If such area is jointly owned or operated by municipalities or counties, then a resolution adopted by a majority vote of all affected legislative bodies, voting individually, is necessary for such municipalities or counties to prohibit persons authorized to carry a handgun pursuant to § 39-17-1351, from possessing such handgun while within such park.

(e)

(1) Because signage prohibiting the possessing of firearms while within or on 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 state, or instrumentality thereof, and posted pursuant to § 39-17-1311, prior to July 1, 2009, remains necessary for visitors who are not authorized to carry a firearm pursuant to subsection (b), the department shall not replace or change any existing signs that prohibit firearms or erect any new signs at existing state areas relative to firearms. However, the department may replace or repair signs that have been damaged or are scheduled for replacement in accordance with the park's regular replacement schedule.

(2) If a municipality or county elects to prohibit persons authorized to carry a handgun pursuant to § 39-17-1351, from possessing such handgun while within or on a public park, it shall display in prominent locations the sign authorized by § 39-17-1311(c)(1), to give notice that handguns are not permitted in the park.

(f) A violation of subsection (a) is a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 39-17-1314, is amended by deleting the first sentence of subsection (a) and substituting instead the following:

Except as provided in § 39-17-1311(d), which allows counties and municipalities to prohibit the possession of handguns while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by a county, a municipality or instrumentality thereof, no city, county, or metropolitan government shall occupy any part of the field of regulation of the transfer, ownership, possession or transportation of firearms, ammunition or components of firearms or combinations thereof; provided, that the provisions of this section shall be prospective only and shall not affect the validity of any ordinance or resolution lawfully enacted before April 8, 1986.

SECTION 4. Tennessee Code Annotated, Section 39-17-1359, is amended by adding the following language as a new, appropriately designated subsection:

(e) The provisions of this section shall not apply to the grounds of any public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by the state, a county, a municipality or instrumentality thereof. The carrying of firearms in such areas shall be governed by § 39-17-1311.

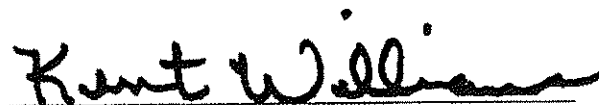
SECTION 5.

(a) For purposes of permitting municipalities or counties to elect to prohibit the carrying of handguns in parks pursuant to § 39-17-1311(d), this act shall take effect upon becoming a law, the public welfare requiring it.

(b) For purposes of it being lawful for persons authorized to carry a handgun pursuant to § 39-17-1351, to carry in places owned or operated by the state or federal government that are designated in Section 1 of this act, this act shall take effect upon becoming a law, the public welfare requiring it.

(c) For purposes of it being lawful for persons authorized to carry a handgun pursuant to § 39-17-1351, to carry in places owned or operated by municipalities or counties that are designated in Section 1 of this act, this act shall take effect on September 1, 2009.

PASSED: May 26, 2009

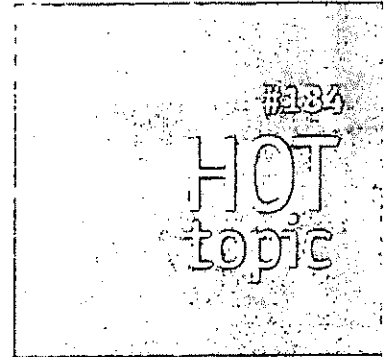

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 12th day of June 2008


PHIL BREDESEN, GOVERNOR

Attachment B:
MTAS Legal Analysis



June 23, 2009

LOCAL OPT-OUT PROHIBITING HANDGUNS IN MUNICIPAL PARKS

Josh Jones, Legal Consultant

The recently passed Public Chapter No. 428 authorizes handgun carry permit holders to lawfully possess handguns in federal, state and local parks. Cities may exclude their parks by passing a resolution and other compliance procedures. This publication details the requirements of the new law and the process cities must undertake to prohibit handguns in parks they own or operate. A sample resolution is attached.

Residents who meet certain requirements can obtain a handgun carry permit under the provisions of T.C.A. § 39-17-1351. Tennessee law authorizes handgun carry permit holders to lawfully carry concealed firearms in public, subject to statutory restrictions. One of those restrictions is found in T.C.A. § 39-17-1311(a), which makes it an offense to:

possess or carry, whether openly or concealed, with the intent to go armed, any weapon prohibited by § 39-17-1302(a), not used solely for instructional, display or sanctioned ceremonial purposes, in or on the grounds of any public park, playground, civic center or other building facility, area or property owned, used or operated

by any municipal, county or state government, or instrumentality thereof, for recreational purposes.

Public Chapter No. 428 exempts lawful carry permit holders from this prohibition under certain circumstances, allowing them to possess a handgun:

while within or on 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 state, a county, a municipality or instrumentality thereof ...

The provisions allowing carry permit holders to possess handguns in municipal parks go into effect on September 1, 2009. Locally enacted prohibitions on possessing or carrying in nonrecreational municipal property, such as city hall, still apply.

Local governments have the ability to opt out of the new provisions and prohibit the possession of handguns while or within public parks owned or operated by the city. This can be accomplished through adoption of a resolution by the governing body. Adoption

June 23, 2009

LOCAL OPT-OUT PROHIBITING HANDGUNS IN MUNICIPAL PARKS

of the resolution requires a majority vote. In the case of parks jointly owned or operated by two or more municipalities or counties, every governing body must adopt a resolution to effect the prohibition.

In Section 2 of the new legislation, an adopting municipality may elect to prohibit carry permit holders from “possessing such handgun while or within or on a public park that is owned or operated by a county, a municipality or instrumentality thereof.” This language mentions only public parks, leading a reader to believe that a local government may exempt only parks. However, the new legislation also amends T.C.A. § 39-17-1314, which covers the construction of these statutes. The new language explicitly states that an opt-out resolution allows municipalities to:

prohibit the possession of handguns while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by a county, a municipality or instrumentality thereof

This language suggests that the legislative intent of the bill is to authorize cities not only to prohibit handguns in public parks, but also to prohibit them in the aforementioned similar places if owned or operated by a municipality.

Seemingly, a municipality could amend the model resolution language and elect to prohibit handguns in specific parks, while allowing them in others. A city electing to prohibit handguns in specific parks should describe clearly and accurately the properties to be covered. According to the new legislation, when a legislative body elects to prohibit handguns in a park, the prohibition applies to the entire park. Hence, no park may be partitioned into handguns-allowed and handguns-prohibited sections.

Well before the passage of this new legislation, the provisions of T.C.A. § 39-17-1311(b)(1)(A)-(H) allowed for the possession of weapons by certain people under certain circumstances in recreational areas. They include law enforcement, reserve officers in training, private police, lands designated as open to hunting, persons conducting or attending gun or knife shows, persons delivering or picking up passengers who do not use the weapon in any manner. These exceptions will be unaffected by the new legislation, thus the activities will be allowed in municipal parks regardless of a resolution.

Upon the prohibition of handguns in a park, a municipality is charged with displaying prominent signage, in accordance with T.C.A. § 39-17-1311(c)(1), giving notice of the prohibition. The signage provision states:

June 23, 2009

LOCAL OPT-OUT PROHIBITING HANDGUNS IN MUNICIPAL PARKS

Each chief administrator of public recreational property shall display in prominent locations about the public recreational property a sign, 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) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

To ensure compliance, cities should post signs with this language in prominent locations. According to the statute, prominent locations include but are not limited to all entrances to the property and any building or structure on the property.

Cities that want to enact a resolution prohibiting the possession of handguns in their parks would be wise to act quickly. The September 1, 2009, effective date is approaching rapidly, and on that date carry permit holders may possess handguns in a city's parks until that city passes a resolution and complies with the signage requirements. If you have any questions, please contact your UT MTAS municipal management consultant.

MUNICIPAL TECHNICAL ADVISORY SERVICE

Knoxville (Headquarters) . . . (865) 974-0411	Jackson (731) 423-3710
Johnson City (423) 854-9882	Nashville (615) 532-6827
(423) 282-0416	Martin (731) 881-7055

The Municipal Technical Advisory Service (MTAS) is a statewide agency of the University of Tennessee Institute for Public Service. MTAS operates in cooperation with the Tennessee Municipal League to provide technical assistance services to officials of Tennessee's incorporated municipalities. Assistance is offered in areas such as accounting, administration, finance, public works, ordinance codification, and water and wastewater management.

MTAS *Hot Topics* are information briefs that provide a timely review of current issues of interest to Tennessee municipal officials. *Hot Topics* are free to Tennessee local, state, and federal government officials and are available to others for \$2 each. Photocopying of this publication in small quantities for educational purposes is encouraged. For permission to copy and distribute large quantities, please contact the MTAS Knoxville office at (865) 974-0411.

www.mtas.tennessee.edu

RESOLUTION NO. _____

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 _____ of the city/town of _____
(governing body)
desires to continue prohibiting the carrying of handguns in municipal parks;
now, therefore:

BE IT RESOLVED BY THE _____
(governing body)

OF THE CITY/TOWN OF _____ THAT:

SECTION 1. Any person authorized¹ to carry a handgun under *Tennessee Code 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 city/town of _____ 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).² However, this resolution does not prohibit lawful possession of any handgun in accordance with T.C.A. § 39-17-1311(b)(1)(A)-(H).³

SECTION 2. The city/town of _____ 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) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

SECTION 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.

SECTION 4. This resolution takes effect from and after its passage, the welfare of the city/town of _____ requiring it.

Adopted: _____

Mayor

City Recorder

¹Any person who is not authorized to carry a handgun under state law and who possesses a handgun in a park or other public area with the intent to go armed would be in possible violation of T.C.A. § 39-17-1307, which is a Class E felony.

²The state statute requires the prohibition of handguns to apply to the entire park. The statute does not mention the other recreational areas in this proviso.

³The state statute allows for the lawful possession of handguns in numerous circumstances, including but not limited to military personnel, civil officers, reserve officer training corps pupils and law enforcement officers in discharge of their official duties; private police employed by the municipality; persons who are either hunting on municipal land designated as open to hunting, traversing municipal property to gain access to hunting lands, conducting or attending a gun show, picking up or delivering passengers who do not use the weapon in any way, or a person permitted to sport or target shoot; or a security guard who meets the requirements of T.C.A. Title 62, Chapter 35.

Attachment C:

Reported Crimes/Incidents in City
Parks 2006-08

POLICE DEPARTMENT

Jackie Moore
Chief of Police



John C. Schroer
Mayor of Franklin

Eric S. Stuckey
City Administrator

July 6, 2009

TO: Eric Stuckey, City Administrator
FROM: Jackie Moore, Chief of Police
SUBJECT: Reported Crime in City Parks, 2006-2008

At your request, and for your review, I have compiled data concerning criminal offenses handled by the Franklin Police Department in City Parks during 2006, 2007, and 2008.

In summary, of the 87 reported incidents handled by Franklin Police over a three year period from 2006-2008 – more than a third (35) were committed against the actual parks themselves (vandalism, theft, etc.). More than thirty (31) were committed against society (DUI, alcohol/drug possession, etc). Twenty-one crimes were committed against individuals, mostly property crimes, with eight of those offenses committed against individual persons—of those, three were perpetrated by suspects who did not know their victims.

In 2006, Franklin Police Officers handled 15 incidents at City Parks. Of those, nine were property offenses committed against City Parks, with one offense committed against a person. That one incident, an assault, occurred after one softball player refused to shake hands with another. Three were drug related arrests. The remaining arrest was for a juvenile curfew violation. Additionally, one subject was arrested for possessing a prohibited weapon. That arrest occurred after officers responded to a report of a subject armed with a handgun in Pinkerton Park. The gun was quickly determined to be an air soft gun; however, during the investigation, officers discovered the person to be in possession of an illegal knife.

2006 Incidents	
Property offenses committed against City Parks	9
Drug related arrests	3
Assault	1
Curfew Violation	1
<u>Possession of a prohibited weapon (knife)</u>	<u>1</u>
TOTAL	15

In 2007, Franklin Police Officers handled 35 incidents in City Parks. A total of 21 were property offenses committed against City Parks. There were six alcohol/drug related arrests, four auto burglaries and two thefts. Two incidents involved indecent exposures; one by a male who exposed himself to a female near the pedestrian bridge (he was quickly apprehended by responding officers), and the other involving consensual sex that was witnessed and reported by a passerby.

2007 Incidents	
Property offenses committed against City Parks	21
Drug/alcohol related arrests	6
Theft/burglary	6
<u>Indecent exposure</u>	<u>2</u>
TOTAL	35

-more-

In 2008, our officers handled 38 incidents in City Parks. Of these incidents, 19 were drug/alcohol related. Twelve incidents were property offenses including vandalism, and trespassing in City Parks. The other offenses were against individuals, or the property of individuals including; aggravated assault, vandalism, auto burglary, reckless endangerment and armed subjects. There were two robberies, one committed with an air soft gun, and one committed by physical force against the victim. Two incidents are considered to be aggravated assault involving juveniles; one argument in which children were armed with a hatchet and a knife, and a second where a group of older children was scaring younger children with a PVC pipe and knives. A suicide attempt (by overdose of medication; no weapons) was handled at Pinkerton Park. Finally, an arrest was made of a person in the park found, during an unrelated investigation, to be in possession of brass knuckles.

2008 Incidents

Drug/alcohol related arrests	19
Property offenses	12
Robberies	2
Aggravated Assault (juveniles)	2
Suicide attempt (medication)	1
Prohibited weapon (brass knuckles)	1
<u>Curfew violation</u>	<u>1</u>
TOTAL	38

A total of 41 of the offenses were committed at Jim Warren Park, 29 at Pinkerton, six at Fieldstone Farms, 10 at Ft. Granger, and one at the Eastern Flank Battlefield.

JM/cw

Attachment D:

Proposed Resolution No. 2009-23



Franklin Special School District

SINCE 1906

David L. Snowden, Ph.D., Director of Schools • 507 New Highway 96 West • Franklin, TN 37064 • 615-794-6624 • 615-790-4716 (fax) • www.fssd.org

RESOLUTION FOR CONSIDERATION BY THE FRANKLIN SPECIAL SCHOOL DISTRICT BOARD OF EDUCATION, JULY 20, 2009

SUBJECT: *Guns in the City Parks of Franklin, TN*

PRESENTED BY: Franklin Special School District Board of Education

WHEREAS for decades, the Franklin Special School District (FSSD) has used the excellent City Parks of Franklin for organized activities for learning and physical education for its students, and

WHEREAS Tennessee's newly passed legislation will allow handgun carry permit holders to take guns into parks beginning September 1, 2009, and

WHEREAS the City of Franklin Board of Mayor and Aldermen will consider opting out of this new state law at its meeting on July 28, 2009, and

WHEREAS the City of Franklin bans the discharging of any firearms inside the city limits through Ordinance 11-603, and

WHEREAS the Franklin Special School District is concerned for the safety of students participating in organized school activities in the city parks of Franklin,

Be it therefore **RESOLVED** that the Franklin Special School District Board of Education **URGES** the Franklin Board of Mayor and Aldermen to **ban firearms in the city parks of Franklin at its July 28, 2009 meeting.**

Now, therefore, this Resolution is hereby **PASSED AND ADOPTED** by the Franklin Special School District Board of Education at a regular Board Meeting held on the 20th day of July, 2009.

Each member of the Franklin Special School District Board of Education attests to the passage of this resolution by their signature below:

Sherry Badger
Sherry Badger

Robert Blair
Robert Blair

Melanie Hembree
Melanie Hembree

Kent McNish
Kent McNish

Robin Newman
Robin Newman

Tim Stillings
Tim Stillings

