

## RESOLUTION NO. 03-23

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW SEWICKLEY TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA DECLARING NEW SEWICKLEY TOWNSHIP A SECOND AMENDMENT SANCTUARY.

**WHEREAS**, the Constitution of the United States is the supreme law of our nation; and

**WHEREAS**, 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

**WHEREAS**, the U.S. Supreme Court found in *Miranda v. Arizona*, 384 U.S. 436 (1966), that, “where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them;” and

**WHEREAS**, 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; and

**WHEREAS**, the U.S. Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment; and

**WHEREAS**, the Fourteenth 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

**WHEREAS**, the U.S. Supreme Court in *McDonald v. City of Chicago*, 561 U.S. 742 (2010), affirmed that a person’s Second Amendment right to “keep and bear arms” is further secured by the “due process” and the “privileges and immunities” clauses of the Fourteenth Amendment. This decision also protects rights closely related to the Second Amendment, namely the right to manufacture, transfer, purchase, and sell firearms, accessories, and ammunition; and

**WHEREAS**, the Tenth Amendment to the Constitution states, “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People;” and

**WHEREAS**, the U.S. Supreme Court found in *Printz v. United States*, 521 U.S. 898 (1997), that the Federal government cannot compel law enforcement officers of the States to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intended; and

**WHEREAS**, 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” and

**WHEREAS**, due to dual sovereignty of the U.S. Constitution, the Federal government has no authority to enforce state laws and States cannot be compelled to enforce Federal laws; and

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of New Sewickley Township, as follows:

**Section 1.** The above recitals are true and correct and incorporated in this Resolution.

**Section 2.** The New Sewickley Township Board of Supervisors hereby declares New Sewickley Township as a Second Amendment Sanctuary in order to preserve for the People of, on, and in New Sewickley Township, their rights guaranteed by the Constitution of the United States of America.

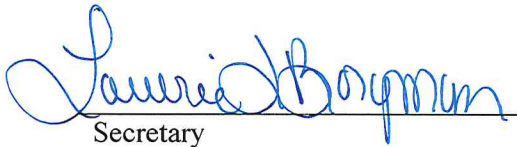
**Section 3** We the People of New Sewickley Township, Beaver County, Pennsylvania, through this resolution hereby declare our rights, our freedom and our liberty as guaranteed by the Constitution of the United States of America.

**Section 4.** This Resolution shall become effective upon adoption.

**RESOLVED, ENACTED AND ADOPTED** at a meeting held on the 3rd day of January, 2023.

ATTEST:

NEW SEWICKLEY TOWNSHIP  
BEAVER COUNTY, PENNSYLVANIA

  
Secretary

By:   
Chairman