



Local Government Zoning Authority Within Gun Free School Zones

SUMMARY:

The Virginia Parent Teacher Association supports safe learning environments for all students, teachers, staff and visitors throughout the Commonwealth of Virginia. The presence of firearms retailers within any Gun Free School Zone is not consistent with a safe learning environment.

WHEREAS, the Gun Free School Zones Act (18 U.S.C. §921, et seq.) prohibits an individual from possessing a firearm in a school zone (defined as the zone “within a distance of 1,000 feet from the grounds of a public, parochial or private school”), but exceptions to that law permit the sale of firearms, ammunition and accessories as well as the carrying and transportation of loaded firearms on private, but not public property that is within a school zone; and

WHEREAS, Virginia state law (Va. Code §15.2-915) provides for a complete preemption of all local firearms laws, including zoning ordinances that would affect firearms, with the result that local governments are prevented from responding to community concerns about the location of firearms businesses in close proximity to local schools; and the presence of a firearms retailer within close proximity of any school, or within a school zone as defined under the Gun Free School Zones Act; and

WHEREAS, the Virginia General Assembly considered the threat of an armed intruder to be so serious that legislation was enacted in 2013 that requires every public school in Virginia to have at least two “lockdown” drills each school year (Va. Code §22.1-137.2), and if such a threat were detected in the building or surrounding area, a school would “lockdown” as an emergency measure; and as schools across the United States have been scenes of large-scale and highly publicized shooting incidents, frequently with tragic consequences and loss of life, there has been heightened attention given to the need for schools to be prepared to respond to the circumstance of an armed intruder;

THEREFORE, BE IT

RESOLVED, that the Virginia Parent Teacher Association supports providing local governments with the ability to determine the distance firearms retailers must be located from schools when both are operating within designated Gun Free School Zones.

July 2016, approved by General Membership