



PAUL POOLE  
1st District

LEIGH SCHLUMPER  
4th District

L. THERON GAY  
County Administrator

## Coweta County Commissioners

GREG TARBUTTON  
Chairman  
2nd District

LARRY DeMOSS  
3rd District

TIMOTHY HIGGINS  
5th District

MITCH POWELL  
County Attorney

November 30, 2006

Mr. Edward A. Stone

Georgia

Re: Firearms on or about Coweta County Recreation Facilities

Dear Mr. Stone:

I have received and appreciate your letter dated August 25, 2006 regarding the above mentioned issue. I forwarded a copy of your letter to the county attorney's office for review. For your convenience, a copy of her response is attached.

As indicated in her response, it is her opinion that the Coweta County Ordinance is not in conflict with state law; therefore, Coweta County is within its right to prohibit firearms on its own property.

If you should have any questions, please do not hesitate to contact my office at 770.254.2601.

Yours Truly,

L. Theron Gay  
County Administrator

cc: Commissioner Paul Poole, 1<sup>st</sup> District  
Jerry Ann Conner, Assistant County Attorney


GLOVER & DAVIS, P. A.  
ATTORNEYS AT LAW

NEWNAN (770) 683-6000  
PEACHTREE CITY (770) 487-5834

NEWNAN OFFICE:  
P.O. DRAWER 1038  
10 BROWN STREET  
NEWNAN, GEORGIA 30264  
FACSIMILE (770) 683-6010

PEACHTREE CITY OFFICE:  
200 WESTPARK DRIVE  
SUITE 130  
PEACHTREE CITY, GEORGIA 30269  
FACSIMILE (770) 487-3492

MEMORANDUM

TO: Paul Poole and Tom Corker  
CC: Theron Gay  
FROM: Jerry Ann Conner   
RE: Firearms on county property  
DATE: October 31, 2006

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I have reviewed Mr. Stone's letter dated August 25, 2006, attached hereto and the law regarding the county's authorization to prohibit firearms on county recreation facilities. In my opinion, the county's regulation is constitutional.

The county has the right under its police powers to control activities on its own property. The Sturm Ranger Co. v. City of Atlanta case cited in Mr. Stone's letter holds that the state solely has the power to regulate the manufacture, sale, distribution, and promotion of firearms. 1253 Ga. App. 713 (2002).

The County's ordinance does not regulate anything under the exclusive jurisdiction of the state. The County is merely prohibiting firearms on county recreation property. Moreover, the Sturm case rests its holding on O.C.G.A. §16-11-184 as making firearms regulations exclusively a state matter. This code section has since been repealed.

JAC/ap