

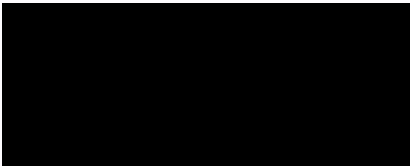
2017-022

STEVEN T. MARSHALL
ATTORNEY GENERAL

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July 19, 2017



Re: The Davidson Center for the Arts



On April 21, 2017, I received your petition regarding a possible violation of Ala. Code §13A-11-61.3 by the Davidson Center for the Arts. Specifically, you allege that the Davidson Center for the Arts posted signs prohibiting firearms on its premises as opposed to inside the building.

My Office's investigation confirmed that the Davidson Center for the Arts has signs posted stating that firearms are prohibited on its premises. I asked the City of Huntsville to explain its legal justification for the signs. The City of Huntsville reviewed a redacted copy of your petition and the relevant portions of Alabama law. The City of Huntsville replied that, despite the language on the signs, it only intends to prohibit firearms inside of the building for the Davidson Center for the Arts, not its premises.

A similar issue was raised in Firearms Determination 2016-049 when a petitioner questioned the legality of the City of Bessemer's ordinance prohibiting firearms in city parks. The City of Bessemer stated that, despite the language of the ordinance, it did not enforce the ordinance and would not enforce it in the future. This Office determined that no further action against the City of Bessemer was required on the issue.

Like the City of Bessemer's ordinance related to firearms in city parks, the signs posted at the Davidson Center for the Arts are not enforced in the manner in which you allege. A person is not adversely affected if not subjected to a regulation promulgated or enforced in violation of Ala. Code § 13A-11-61.3.

[REDACTED]
July 18, 2017

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Because the City of Huntsville is compliant with Alabama law, I have determined that there is no further action required under ALA. CODE § 13A-11-61.3.

A redacted copy of this letter will be posted to my Office's website, in compliance with the statutory requirement under ALA. CODE § 13A-11-61.3(f)(3).

Sincerely,

A handwritten signature in black ink that reads "Steve Marshall". The signature is written in a cursive, flowing style.

Steve Marshall
Attorney General

SM/RWS/as
2356626/182001