

2017-023

STEVEN T. MARSHALL  
ATTORNEY GENERAL

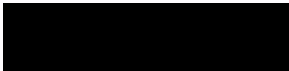
STATE OF ALABAMA  
OFFICE OF THE ATTORNEY GENERAL

501 WASHINGTON AVENUE  
P.O. BOX 300152  
MONTGOMERY, AL 36130-0152  
(334) 242-7300  
WWW.AGO.ALABAMA.GOV

July 19, 2017



Re: The Von Braun Center



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

My Office's investigation confirmed that the Von Braun Center 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 Von Braun Center, 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 Von Braun Center 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.

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  
2360526/182001