



GRASS ROOTS NORTH CAROLINA / FORUM FOR FIREARMS EDUCATION  
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October 21, 2013

City of Wilmington  
Post Office Box 1810  
Wilmington, NC 28402-1810

Attn: The Honorable Bill Saffo, Mayor

Dear Mayor Saffo:

In its 2011-2012 Session, the North Carolina General Assembly passed House Bill 650 (S.L. 2011-268), which restricted the ability of municipalities to prohibit the lawful carry of concealed handguns in municipal parks to a limited number of "recreational facilities" within those parks. In 2013, the legislature passed House Bill 937 (S.L. 2013-369), which further narrowed the definition of recreational facilities as follows:

*(c) For purposes of this section, the term "recreational facilities" includes only the following: a playground, an athletic field, a swimming pool, and an athletic facility.*

*(1) An athletic field, including any appurtenant facilities such as restrooms, during an organized athletic event if the field had been scheduled for use with the municipality or county office responsible for operation of the park or recreational area.*

*(2) A swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool.*

*(3) A facility used for athletic events, including, but not limited to, a gymnasium.*

*(d) For the purposes of this section, the term "recreational facilities" does not include any greenway, designated biking or walking path, an area that is customarily used as a walkway or bike path although not specifically designated for such use, open areas or fields where athletic events may occur unless the area qualifies as an "athletic field" pursuant to subdivision (1) of subsection (c) of this section, and any other area that is not specifically described in subsection (c) of this section.*

Throughout all of this, Wilmington has kept its signs prohibiting all concealed carry in parks, and continues to list the following ordinance on its web site:

*"Sec. 6-7.1. Possession of weapons or concealed handguns prohibited on city property.  
"(a) Except as provided in subsection (b) below, it shall be unlawful for any person to possess any weapon or concealed handgun as defined in G.S. § 14-269 in city-owned or operated buildings, their appurtenant premises, and parks....  
"(Ord. of 10-17-95, § 1)"*

Please note that the imposition of a local gun law or regulation more stringent than state law is a violation of § 14-409.40 ("Statewide uniformity of local regulation"). If you do not remove the signs and amend your ordinance, legal action will follow. Please note that under § 6-21.7 ("Attorneys' fees; cities or counties acting outside the scope of their authority"), we will also seek to recover associated legal expenses.

I can be reached directly at (704) 907-9206. To prevent further action, look forward to your prompt reply within five (5) business days.

Respectfully,



F. Paul Valone  
President, Grass Roots North Carolina  
Executive Director, Rights Watch International

