

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

LISTON MATTHEWS and)
KIMBERLY BERGERON)

Plaintiffs,)

v.)

THE CITY OF KNOXVILLE TENNESSEE,)
MADELEINE ROGERO, in her official)
capacity as Mayor of the City of)
Knoxville; DAVID RAUSCH in his official)
capacity as the Chief of Police for the city)
of Knoxville; TENNESSEE VALLEY)
AGRICULTURAL AND INDUSTRIAL)
FAIR, a nonprofit corporation)

Docket No. 191051-I

Defendants.)

And

STATE OF TENNESSEE ex rel)
LISTON MATTHEWS and)
KIMBERLY BERGERON)

Plaintiffs,)

v.)

MADELEINE ROGERO, in her official capacity)
as Mayor of the City of Knoxville)

Defendant.)

AMENDED COMPLAINT

COME the Plaintiffs, and pursuant to TRCP 15.01, hereby amend their complaint, as no responsive pleadings as defined by TRCP 7.01 have been filed, and sue the Defendants based on the following facts and causes of action:

I. PARTIES

1. Plaintiff Liston Matthews is a citizen and resident of Tennessee.

2. Plaintiff Kimberly Bergeron is a citizen and resident of Tennessee.

3. The City of Knoxville, Tennessee, (“Knoxville”) is a municipal corporation, governed according to the terms of a Home Rule charter. Home Rule charters were enabled by a 1953 amendment to the Tennessee Constitution. Knoxville adopted Home Rule in 1954. Knoxville may be served with process by delivering leading process to the City Law Director, Charles Swanson.

4. Madeleine Rogero (“Rogero”) is the Mayor of Knoxville, whose current term of office began on December 17, 2015. She served as Mayor of Knoxville in the immediately preceding term. She may be served at her office, located at City-County building, 400 Main St., Suite 691, Knoxville, TN 37902.

5. David Rausch is Chief of Police for the Knoxville Police Department, appointed to serve by Rogero. He may be served at his office, located at 800 Howard Baker Jr. Ave, Knoxville, TN 37915.

6. Tennessee Valley Agricultural & Industrial Fair (“TVA&IF”) is a nonprofit corporation, duly authorized by the Tennessee Secretary of State, with a principal office located at 3301 E Magnolia Ave. Knoxville, TN 37914. TVA&IF may be served by serving its agent for service of process, Scott Suchomski, at 3301 E Magnolia Ave. Knoxville, TN 37914.

7. The Plaintiffs are also relators for the State of Tennessee, with regard to the mandamus claim.

II. STANDING

8. The Tennessee Constitution provides in Article I, § 26 “[t]hat the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.” The use of the term “arms” includes firearms.

9. Thus, the authority of the Legislature to regulate the wearing of arms is not absolute but requires the existence of a well-defined crime prevention purpose.

10. The Tennessee Constitution does not authorize the Tennessee Legislature to delegate the authority to regulate firearms, or the wearing of firearms, to political subdivisions of the State, including, but not limited to, counties, cities or towns.

11. The Tennessee Constitution does not delegate any authority to counties, cities and towns within Tennessee to regulate the civilian ownership, possession or wearing of firearms.

12. Unless otherwise specifically enabled by other Tennessee statutes, Tennessee counties’, cities’, towns’, municipalities’ and metropolitan governments’ regulation of the wearing of firearms is preempted and reserved to the state of Tennessee pursuant to Tenn. Code Ann. § 39-17-1314, except that said local governmental units may regulate their employees’ and contractors’ wearing of firearms while in the scope of employment or contract.

13. The Tennessee Legislature established in 1994 a civilian handgun carry permitting system codified at that time in Tenn. Code Ann. § 39-17-1315. By 1996, the Tennessee Legislature had revised the civilian handgun carry permitting system and it was recodified in Tenn. Code Ann. § 39-17-1351.

14. In 2008, the Tennessee Legislature amended Tenn. Code Ann. § 39-17-1311 by repealing statutory language that prohibited civilian handgun carry permit holders from carrying

handguns in all federal, state, and local government parks and on other government-owned real property that is used in whole or in part for recreational purposes. At that time, the Tennessee Legislature granted the option to local governments to prohibit said handgun carrying on the local governments' real property that was used in whole or in part for recreational purposes.

15. In 2015, the Tennessee Legislature amended Tenn. Code Ann. § 39-17-1311 by removing from local governments the option to prohibit civilian handgun carry permit holders from carrying or possessing handguns in locations enumerated under Tenn. Code Ann. § 39-17-1311(b)(1)(H). This change went into effect on April 24, 2015.

16. A Tennessee citizen who is granted a handgun carry permit pursuant to Tenn. Code Ann. § 39-17-1351 has the constitutional right to carry a handgun, under Article I, Section 26 of the Tennessee Constitution and the Second Amendment of the United States Constitution.

17. Any Tennessee citizen, who is granted a civilian handgun carry permit pursuant to Tenn. Code Ann. § 39-17-1351 to exercise the right to carry a handgun, has standing to file suit for declaratory judgment and other relief against a local government that unlawfully prohibits the carrying of a handgun, or has unlawfully prohibited the carrying of a handgun, or which has otherwise violated Tenn. Code Ann. § 39-17-1314 or Tenn. Code Ann. § 39-17-1311 in such a manner as to deter, chill, or infringe on the capacity of such citizen to carry a handgun in those locations that are not subject to regulation by local government authorities.

18. It is not necessary that a Tennessee citizen, who is granted a handgun carry permit pursuant to Tenn. Code Ann. § 39-17-1351, first expose himself to actual arrest or criminal prosecution to gain standing to challenge actions by a government official that deter, chill, or infringe upon the exercise of the constitutional right to carry a handgun.

19. At all times relevant, Liston Matthews has been granted a permit pursuant to Tenn. Code Ann. § 39-17-1351 to carry a handgun.

20. At all times relevant, Kimberly Bergeron has been granted a permit pursuant to Tenn. Code Ann. § 39-17-1351 to carry a handgun.

III. FACTS

21. In 1993, TVA&IF deeded certain real property commonly known as “Chilhowee Park” to Knoxville.

22. Plaintiffs attach as Exhibit 1 a copy of the deed establishing ownership of Chilhowee Park by Knoxville. Knoxville continues to own Chilhowee Park.

23. Chilhowee Park is set aside to serve Knoxville and the state of Tennessee as a whole, and is not used for private gain.

24. Chilhowee Park is open to the public.

25. A map promulgated by Knoxville, attached as Exhibit 2, identifies the general location of Chilhowee Park, located off Magnolia Avenue in Knoxville, Tennessee.

26. Chilhowee Park is described on its website (www.chilhoweepark.org) as “an 81-acre, multi-use, venue owned by the City of Knoxville.

27. Chilhowee Park’s website states that it has 80 acres of “park-like setting”.

28. Chilhowee Park’s facilities include a 3 acre lake, bandstand, 4500 seat amphitheater, a 57,100 sq. ft. exhibition hall, barns, arenas, a playground and picnic shelters.

29. Chilhowee Park includes multiple entrances at various corners of the real property.

30. Linking these multiple entrances are paved walkways, which also connect the various facilities within the boundaries of Chilhowee Park.

31. These paved walkways are generally or substantially linear.

32. These paved walkways are in open-space areas.

33. Chilhowee Park also contains within its boundaries multiple plots of open-space areas allowing for passive recreational activities such as picnicking and reading, as well as active recreational activities such as throwing Frisbee or football.

34. Knoxville, through its ownership of Chilhowee Park, hosts various recreational events such as the Knox Heritage Picnic in the Park, bike rallies, Radio Operated Car Club of Knoxville racing, and other sporting or recreational events.

35. The City of Knoxville, Tennessee Code of Ordinances defines a park as, "[a]n outdoor recreation facility accessible to the public that may provide a variety of recreational opportunities including playground equipment, open-space areas for passive recreation and picnicking, and sport and active recreation facilities or areas."

36. Knoxville published a "Greenways Map" on its website, located at http://knoxvilletn.gov/UserFiles/Servers/Server_109478/File/ParksRecreation/GreenwaysMap.pdf, which depicts Chilhowee Park as a "City Park" based upon the coloring of Chilhowee Park and the map legend. This map is attached as Exhibit 3.

37. Knoxville, through its public statement issued on or about September 10, 2015 at the behest of Mayor Rogero, claimed that Chilhowee Park is an "... entertainment ... venue". This public statement is more particularly addressed in Paragraph 59 of this complaint and attached as Exhibit 6.

38. The word "recreation" is a synonym for the word "entertainment."

39. Both words or variations of the words “recreation” and “entertainment” appear as synonyms for the word “amusement”, in Roget’s Thesaurus, 1997 ed., entry 840.

40. Chilhowee Park is also home to the Tennessee Valley Fair (“the Fair”), which is a yearly event conducted by TVA&IF, taking place during September.

41. To conduct the Fair, TVA&IF leases the Chilhowee Park real property from the City of Knoxville.

42. A map associated with the Fair and depicting the layout of the Fair, including entrances referenced hereinabove in Paragraph 29 described as “Gates”, is attached as Exhibit 4.

43. The Fair offers recreational activities such as the riding of Ferris wheels, pendulum rides, carousels, drop towers, fun slides, small roller coasters, and other mechanical amusement rides.

44. Additionally, the Fair offers recreational activities of carnival games such as Skee Ball, Ring the Bell, Rope Ladder Climb, the Duck Pond Game, and Ring Toss.

45. Furthermore, the Fair offers recreational activities such as a scavenger hunt.

46. Also, the Fair offers recreational activities that can be passive and observational or participatory, such as the Demolition Derby, Tractor Pulls, Truck Pulls, and a rodeo.

47. One of the primary purposes of the Fair is offering recreational activities to its attendees.

48. In her official welcome to 2015 Tennessee Valley Fair attendees on behalf of Knoxville, Rogero notes that “for more than a century, this park has been a mecca for public recreation and entertainment.” Rogero’s identification of “this park” was a reference to Chilhowee Park. A copy of this welcome statement is attached as Exhibit 5.

49. Rogero's welcome statement uses a state of being verb, "has been", which indicates Chilhowee Park's continuing state of existence as a mecca for public recreation, rather than using a past state of existence verb, such as "was" or "had been."

50. Rogero's welcome statement was printed in June 2015, after the 2015 change in law referenced in Paragraph 15.

51. Chilhowee Park is a "park" as defined by the Knoxville Code of Ordinances.

52. Chilhowee Park is a "public park" as that term is used in Tenn. Code Ann. § 39-17-1311(a).

53. Alternatively, Chilhowee Park is an area or property owned, used, or operated by the city of Knoxville for recreational purposes, as described in Tenn. Code Ann. § 39-17-1311(a).

54. Furthermore, Chilhowee Park is a "public park" as that term is used in Tenn. Code Ann. § 39-17-1311 (b)(1)(H).

55. Alternatively, Chilhowee Park is a public place similar to a public park, as the phrase "similar public place" is used in Tenn. Code Ann. § 39-17-1311(b)(1)(H).

56. Alternatively, Chilhowee Park is a greenway, as the term is used in Tenn. Code Ann. §39-17-1311(b)(1)(H), (g).

57. Real property owned by Knoxville that falls within the definition of greenway, public park, or a public place that is similar to a public park, as used in Tenn. Code Ann. § 39-17-1311(b)(1)(H) and (g), is property owned, used or operated for recreational purposes as contemplated by Tenn. Code Ann. § 39-17-1311 (a).

58. In 2015, the Fair took place from September 11 through September 20.

59. Rogero commissioned employees and/or agents of Knoxville to distribute a public declaration to media outlets on or about September 10, 2015, before the opening of the 2015 Fair, relating to Knoxville's position on state law and Chilhowee Park. The substance of the statement issued by Rogero on behalf of Knoxville is attached as Exhibit 6.

60. Rogero made the decision that the policy articulated by this public declaration would be the official policy of the city of Knoxville.

61. The policy promulgated by this public declaration was not submitted to the legislative body of Knoxville for its approval before its promulgation.

62. The policy promulgated by this public declaration was not submitted to the legislative body of Knoxville for its approval since its promulgation.

63. Rogero is responsible for the promulgation of this public declaration, as the chief executive and administrative officer of Knoxville.

64. Knoxville's policy of handgun prohibition articulated in the statement attached as Exhibit 6 applied to all attendees of the 2015 Fair, including Tennessee citizens who had been issued civilian handgun carry permits by the State of Tennessee under the permitting scheme described hereinabove in Paragraph 13.

65. According to Knoxville's policy of handgun prohibition established by Rogero, any person carrying a handgun into the Fair would be subject to arrest for violating state laws, including Tennessee citizens who have been issued civilian handgun carry permits by the State of Tennessee under the permitting scheme described hereinabove in Paragraph 13.

66. TVA&IF also established a policy of handgun prohibition complementary to Knoxville's policy, with its "Statement on Weapons Policy", attached as Exhibit 7.

67. TVA&IF's policy was distributed by agents and/or employees of TVA&IF to media outlets, at the behest of its chief executive, Scott Suchomski ("Suchomski"), and included a copy of Knoxville's policy. An email containing a copy of the full text of the TVA&IF media release is attached as Exhibit 8.

68. TVA&IF also published in its 2015 Official Guidebook to the Fair a statement that no weapons of any kind are permitted at Chilhowee Park. A copy of the relevant page is attached as Exhibit 9.

69. In an interview with local media shortly before the opening of the 2015 Fair, Sarah Carson, the marketing director for TVA&IF, stated that the same ban on handguns at the Fair that had been in place for years would remain in place. This allegation is based upon the Knoxville News Sentinel article published on September 11, 2015 entitled, "Rogero: No guns, no way at Tennessee Valley Fair."

70. As Executive Director of TVA&IF, Suchomski is responsible for the establishment and promulgation of TVA&IF's policy.

71. Knoxville, in conjunction with TVA&IF, maintained for public viewing signs at the entrances of the 2015 Fair, which were originally created and erected prior to the 2015 change in law referenced in Paragraph 15.

72. Photographs of these signs are attached as Exhibit 10 and Exhibit 11.

73. Knoxville, in conjunction with TVA&IF, enforced Knoxville's and TVA&IF's policy of handgun prohibition during the 2015 Fair by placing Knoxville Police Department ("KPD") officers at entrances to the Fair and subjecting attendees to searches.

74. Knoxville, in conjunction with TVA&IF, enforced Knoxville's and TVA&IF's policy of handgun prohibition during the 2015 Fair by interspersing KPD officers throughout the Fair grounds, with the threat of subjecting attendees to search.

75. Neither Knoxville's nor TVA&IF's policy of handgun prohibition made exception to allow handgun carry at the Fair for Tennessee citizens who possessed a valid civilian handgun carry permit issued by Tennessee pursuant to Tenn. Code Ann. § 39-17-1351.

76. KPD officers were instructed to arrest anyone who attempted to enter the 2015 Fair with a handgun, regardless of whether the person arrested was a Tennessee citizen who possessed a valid civilian handgun carry permit issued by Tennessee pursuant to Tenn. Code Ann. § 39-17-1351.

77. KPD officers were instructed to arrest anyone who possessed a handgun and was within the boundaries of Chilhowee Park during the 2015 Fair, regardless of whether the person arrested was a Tennessee citizen who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. § 39-17-1351.

78. Before and during the 2015 Fair, Rogero and Suchomski did not accept that the change in the law, referenced in Paragraph 15, removed any authority of Knoxville and TVA&IF to prohibit the carrying of handguns within the boundaries of Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

79. At no time during the 2015 Fair were any school athletic events conducted on any permanent or temporary athletic field at Chilhowee Park.

80. At no time during the 2015 Fair were any school-related activities conducted on any permanent or temporary athletic field at Chilhowee Park.

81. Liston Matthews desired to attend the 2015 Fair, while exercising his constitutional right to carry a handgun at the 2015 Fair.

82. Kimberly Bergeron desired to attend the 2015 Fair, while exercising her constitutional right to carry a handgun at the 2015 Fair.

83. Kimberly Bergeron attended the 2015 Fair, but did not carry a handgun, because of the policy established by Rogero on behalf of Knoxville, in conjunction with the policy established by Suchomski on behalf of TVA&IF, that no exceptions to the no-weapons policy were granted for Tennessee citizens who had a valid civilian handgun carry permit.

84. Because of the policy established by Rogero on behalf of Knoxville in conjunction with the policy established by Suchomski on behalf of TVA&IF that no exceptions to the no-weapons policy were granted for Tennessee citizens who had a valid civilian handgun carry permit, Liston Matthews declined to attend the 2015 Fair.

85. Regardless of whether KPD officers would have actually arrested Plaintiffs if they had attended the 2015 Fair, the mere public declaration of the handgun carry prohibition policy established by Rogero on behalf of Knoxville, in conjunction with the handgun carry prohibition policy established by Suchomski on behalf of TVA&IF, chilled and directly infringed Plaintiffs' respective exercising of their constitutional rights to carry a handgun while attending the 2015 Fair.

86. The chilling and/or infringement of Plaintiffs' constitutional rights to carry a handgun while attending the 2015 Fair caused Plaintiffs irreparable harm.

87. Knoxville's policy of handgun prohibition articulated in the statement attached as Exhibit 6 continues to apply to persons entering onto Chilhowee Park, including Tennessee

citizens who have been issued civilian handgun carry permits by the State of Tennessee under the permitting scheme described hereinabove in Paragraph 13.

88. As recently as early January 2016, Eric Vreeland, Communications Manager for Knoxville, reiterated that Knoxville's policy of handgun prohibition at Chilhowee Park attached as Exhibit 6 is still in effect. This allegation is based upon the Knoxville News Sentinel article published on January 7, 2016 entitled, "Second lawsuit to be filed over gun ban at Tennessee Valley Fair."

IV. COUNT I – DECLARATORY JUDGMENT, PREEMPTION

89. Plaintiffs aver that since the public declaration of the handgun carry prohibition policy regarding Chilhowee Park established by Rogero on behalf of Knoxville, Knoxville has unlawfully regulated the carrying of handguns in Chilhowee Park by Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

90. Plaintiffs aver that since the public declaration of the handgun carry prohibition policy regarding the Fair established by Suchomski on behalf of TVA&IF, TVA&IF, as Knoxville's lessee of the Chilhowee Park real property, unlawfully regulated the carrying of handguns during the Fair by Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

91. Both Rogero, and consequently Knoxville, as well as Suchomski, and consequently TVA&IF, were put on notice by the persuasive authority of Tennessee Attorney General's Opinion 15-63 that neither Knoxville, nor TVA&IF had the legal authority to prohibit the carrying of a handgun into Chilhowee Park by Tennessee citizens who possessed a valid

civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

92. Knoxville and the TVA&IF had no legal authority under §39-17-1311 to prohibit the carrying of a handgun into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

93. Pursuant to Tenn. Code Ann. §39-17-1314, Knoxville and the TVA&IF were preempted by state law from prohibiting the carrying of a handgun into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

94. The action orchestrated by Rogero and taken by Knoxville, to prohibit the carrying of a handgun into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351, is ultra vires and void.

95. By virtue of the actions taken by the executives and employees of Knoxville and TVA&IF respectively, Knoxville and TVA&IF jointly pursued the prohibition of the carrying of handguns into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351, during the 2015 Fair.

96. Knoxville and the TVA&IF cooperated in this common design of prohibition in a concerted way. In addition to the cooperation pleaded hereinabove, further examples of the cooperation and concerted efforts between Knoxville and the TVA&IF include, but are not limited to the following:

a. Sharing by Suchomski with Greg Mackay, Knoxville's Director of Public Assembly Facilities, and Monty Houk, Knoxville's Deputy Police Chief, of an August 10, 2015 legal opinion issued by TVA&IF counsel Dean Farmer regarding Attorney General Opinion 15-63. Plaintiffs attach the August 17 and 18, 2015 emails from Suchomski as Collective Exhibit 12 and the August 10, 2015 legal opinion as Exhibit 13.

b. Suchomski's sharing by email a recount of his discussion with State Senator Bill Dunn about Knoxville's Chilhowee Park handgun prohibition policy. The substance of his email is attached as Exhibit 14.

c. Knoxville employees' apprising Suchomski, Sarah Thompson a/k/a Carson, TVA&IF's Director of Marketing, of Knoxville's communications with media regarding the policy referenced in Paragraph 58 and attached as Exhibit 6. One of these two emails is part of Exhibit 14 and the other email is attached as Exhibit 15.

d. TVA&IF employee's apprising Mackay of TVA&IF's communications with media regarding the policy referenced in Paragraph 65 and attached as Exhibit 8.

e. TVA&IF employees provided the TVA&IF press release to media outlets on the same day, shortly after Knoxville employees provided the Knoxville press release.

f. Communications between Knoxville's legal counsel and TVA&IF's legal counsel regarding Knoxville and TVA&IF's positions, as demonstrated by the September 10, 2015 email attached as Exhibit 16.

97. Both the city of Knoxville and TVA&IF undertook numerous overt actions in furtherance of the common design to prohibit the carrying of handguns into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of

Tennessee pursuant to Tenn. Code Ann. §39-17-1351 during the 2015 Fair. These actions include but are not limited to:

a. Both Knoxville and TVA&IF distributing through the press, shortly before the 2015 Fair opening, announcements effectively stating that Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-135 would not be able to carry a handgun into the 2015 Fair grounds.

b. TVA&IF's posting of signs at various entrances to the 2015 Fair that weapons were prohibited.

c. Knoxville's stationing, at the request of and by agreement with TVA&IF, of Knoxville Police Department officers at the entrances of the 2015 Fair, and within the 2015 Fair grounds.

d. Despite the change in the law referenced in Paragraph 15, Suchomski stating to Plaintiff Matthews over the phone on September 8, 2015 that the previous policy prohibiting the carry of handguns into the Fair would remain unchanged.

98. The common design and scheme of Knoxville and TVA&IF before and during the 2015 Fair, to prohibit the carrying of handguns into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351, was unlawful.

99. As stated hereinabove, Knoxville's and TVA&IF's common design and concomitant overt actions chilled and/or directly infringed Plaintiffs' respective exercising of their constitutional rights to carry a handgun while attending the 2015 Fair, which is irreparable harm.

100. This court is empowered under Tenn. Code Ann. §29-14-103 to declare the rights and status of the parties in relation to the Tennessee Constitution, Article I, Section 26, Tenn. Code Ann. §39-17-1311, Tenn. Code Ann. §39-17-1314, Tenn. Code Ann. §39-17-1351, and Tenn. Code Ann. §39-17-1359.

V. COUNT II – MANDAMUS

101. Plaintiffs hereby restate paragraphs 1-99 by reference.

102. Alternatively to Count I, Plaintiffs hereby allege the cause of action of mandamus, as provided by Tenn. Code Ann. §39-17-1358, and pursuant to Tenn. Code Ann. § 29-25-101 et seq.

103. Knoxville, in conjunction with TVA &IF, made public announcements and displayed signs at Chilhowee Park giving notice to the public, including the Plaintiffs, that Knoxville, in conjunction with TVA &IF, was prohibiting the possession of weapons, including the prohibition of the firearms during the 2015 Fair, as pleaded hereinabove.

104. The prohibition of firearms during the 2015 Fair included the prohibition of the carrying of handguns into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

105. By implication, this posting and prohibition of firearms was done pursuant to the authority of Tenn. Code Ann. §39-17-1359(a), as this is the only statute that would give the Defendants the authority to prohibit the carrying of handguns into Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

106. This posting and prohibition of firearms was unlawful, however, because Chilhowee Park is a public park, greenway, or other similar public place owned by Knoxville, as contemplated by Tenn. Code Ann. §39-17-1359 (f) and Tenn. Code Ann. §39-17-1311.

107. The plaintiffs were aggrieved by Knoxville and TVA &IF's unlawful posting and prohibition of the carrying of handguns under the pretense of reliance upon Tenn. Code Ann. §39-17-1359(a), and failure to abide by the statutory admonition of Tenn. Code Ann. §39-17-1359(f).

108. Plaintiffs pray for a writ of mandamus pursuant to Tenn. Code Ann. §39-17-1358 (c), commanding Rogero to:

a. Declare publicly on behalf of the city of Knoxville, using the same efforts in communicating with the public as the declarations described in paragraph 59-63, that Chilhowee Park is a public park, greenway, or similar public place as contemplated by Tenn. Code Ann. §39-17-1359 (f) and Tenn. Code Ann. §39-17-1311.

b. Declare publicly on behalf of the city of Knoxville, using the same efforts in communicating with the public as the declarations described in paragraph 59-63, that Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351 may carry handguns in Chilhowee Park as provided under Tenn. Code Ann. §39-17-1311.

c. Remove all unlawful postings from Chilhowee Park relating to the carrying of handguns by Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

d. Command to the officers of the Knoxville Police Department through the Chief of Police, and to any other person tasked with law enforcement at Chilhowee Park,

that they are to forbear, subject to the terms of Tenn. Code Ann. §39-17-1311, from arresting any person for carrying a handgun on the grounds of Chilhowee Park, if the person possesses a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351.

e. Command to any lessee of Chilhowee Park, including but not limited to TVA&IF, that the lessee is bound to abide by the constraints of law falling upon the City of Knoxville provided by Tenn. Code Ann. §39-17-1311, and thus a lessee must allow Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351 to carry handguns in Chilhowee Park as provided under Tenn. Code Ann. §39-17-1311.

109. These duties appearing in the alternative writ are nondiscretionary, as Rogero is required by virtue of her office to enforce the laws of Tennessee as written. These actions are necessary to remedy the unlawful application by Knoxville of Tenn. Code Ann. §39-17-1359(a) to the 2015 Fair.

110. Plaintiff avers that TVA&IF has an interest in this Count, but because it is already a Defendant, Rogero has no duty to give notice to TVA&IF. TVA&IF may intervene and file a responsive pleading to this count as well.

WHEREFORE, Plaintiffs pray for the following relief:

A. This amended complaint would be filed, and the Defendants would be served pursuant to the Rules of Civil Procedure.

B. This court would issue an alternative writ of mandamus, requiring Madeline Rogero, the Mayor of Knoxville, to perform the acts pleaded hereinabove in paragraph 108 and

its subparagraphs, or show cause why she has not done so, and upon her failure to do so, or upon a decision against her at the hearing, that a peremptory writ of mandamus issue.

C. Upon motion and a hearing, this court would declare that 1) Chilhowee Park is a public park, or other area or property owned, used or operated by Knoxville for recreational purposes as contemplated by Tenn. Code Ann. §39-17-1311 (2015); 2) declare that Knoxville and its lessee, TVA&IF, had no authority under Tenn. Code Ann. §39-17-1311 (2015) or Tenn. Code Ann. §39-17-1314 (2015) before, during, and after the 2015 Fair, to prohibit the carrying of a handgun at Chilhowee Park by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351; 3) declare that Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351 had a right to carry a handgun at Chilhowee Park before, during, and after the 2015 Fair pursuant to the exception language found at Tenn. Code Ann. §39-17-1311(b)(H); and 4) implement a temporary injunction enjoining the Defendants from prohibiting the carrying of a handgun at Chilhowee Park by Tennessee citizens who possess a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351; pending the final hearing in this matter.

D. Upon a final hearing, this court would, in addition to the declaratory relief and injunctive relief sought in paragraph b, above, 1) find that the actions taken by Knoxville regarding a prohibition before and during the 2015 Fair of handgun carrying by Tennessee citizens who possessed a valid civilian handgun carry permit issued by the State of Tennessee pursuant to Tenn. Code Ann. §39-17-1351 were ultra vires; 2) find that the constitutional rights of the Plaintiffs were chilled and/or infringed; and 3) issue a permanent injunction against Knoxville and TVA&IF.

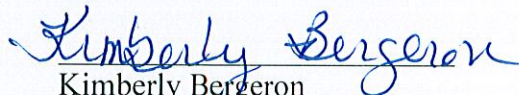
E. This court would award attorney's fees to Plaintiffs, to be paid by Knoxville, as provided in Tenn Code Ann. §39-17-1358(c), under the mandamus count.

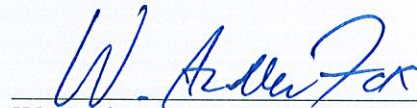
F. This court tax court costs and discretionary costs to the Defendants.

G. This court provide such other, good, and further relief to which it may deem Plaintiffs to be entitled.

Respectfully submitted this 20 day of April, 2016.


Liston Matthews


Kimberly Bergeron


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OATH

STATE OF TENNESSEE
COUNTY OF Knox

I, Liston Matthews, after being duly sworn, according to law, hereby make oath that I have read the foregoing Complaint; that the statements contained therein are true to the best of my knowledge, information, and belief.


Liston Matthews

Sworn to and subscribed before me on this 19 day of April, 2016.

Allison J. Scott
NOTARY PUBLIC



My commission expires: 10/29/16

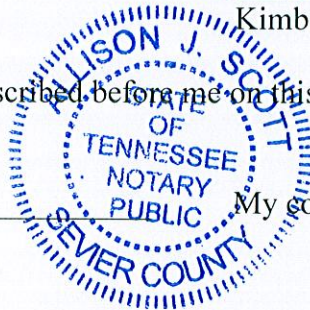
STATE OF TENNESSEE
COUNTY OF Knox

I, Kimberly Bergeron, after being duly sworn, according to law, hereby make oath that I have read the foregoing Complaint; that the statements contained therein are true to the best of my knowledge, information, and belief.

Kimberly Bergeron
Kimberly Bergeron

Sworn to and subscribed before me on this 19 day of April, 2016.

Allison J. Scott
NOTARY PUBLIC



My commission expires: 10/29/16

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served upon the following by facsimile, hand delivery or by placing the same in the United States mail, properly addressed and with sufficient postage affixed thereto to ensure delivery this the 20 day of April, 2016:


Michael S. Kelley, Esq.
Michael R. Crowder, Esq.
Kennerly, Montgomery & Finley, PC
Bank of America Center, Fourth Floor
550 W. Main Street
Knoxville, TN 37901
Fax: 865-524-1773

Attorneys for Defendants
City of Knoxville, Mayor Madeline Rogero, and
Chief David Rausch

Howard B. Jackson, Esq.
Wimberly, Lawson, Wright, Daves
& Jones, PLLC
550 W. Main Street 900
Knoxville, TN 37902
Fax: 865-546-1001

Attorney for Defendants
Tennessee Valley Agricultural & Industrial
Fair, and Scott Suchomski

W. Andrew Fox

This instrument prepared by:
GEORGE T. UNDERWOOD 
Assistant City Attorney
City of Knoxville

Document No. 93-D-15

QUITCLAIM DEED

THIS INDENTURE, made this 22nd day of October, 1993,
by and between TENNESSEE VALLEY AGRICULTURAL AND INDUSTRIAL FAIR,
INC., a/k/a TENNESSEE VALLEY AGRICULTURAL AND INDUSTRIAL FAIR
ASSOCIATION, a non profit corporation organized and existing
pursuant to the laws of the State of Tennessee, P. O. Box 6066,
Knoxville, Tennessee 37914, and the CITY OF KNOXVILLE, a municipal
corporation, organized and existing under the laws of the State of
Tennessee, with offices at 400 Main Avenue, Knoxville, Knox County,
Tennessee 37901, Party of the Second Part.

W I T N E S S E T H:

That the said Party of the First Part, for and in
consideration of the sum of ONE DOLLAR (\$1.00) to it in hand paid
by the said Party of the Second Part, the receipt of which is
hereby acknowledged, has bargained, sold, remised, released, and
QUITCLAIMED, and does hereby bargain sell, remise, release, and
QUITCLAIM unto the said Party of the Second Part the following
described premises, to-wit:

TRACT 1 (70N-F-1)

Situated in District No. One of Knox County, Tennessee,
lying within the 13th Ward of the City of Knoxville,
lying within City Block No. 13140, a triangular shaped
parcel being bounded on the north by Interstate 40 on the
south and west by the City of Knoxville, and being more
particularly described as follows:

BEGINNING at a pin in the Chilhowee Park fence line, said
pin marking the Southwest corner of the property herein
conveyed and the Northwest corner of the old Chilhowee
Park property; thence along the City of Knoxville's
property line, formerly Shepard property, North 31 Deg.
12 Min. West approximately 75 feet, more or less, to a
stake in the South right-of-way line of the new East-West
Expressway; thence along the South line of the new East-
West Expressway North 50 Deg. 30 Min. East 247.01 feet to
a point; thence continuing along the South line of said
new East-West Expressway North 59 Deg. 54 Min. East
198.34 feet to a stake; thence continuing along said
South line of said Expressway North 63 Deg. 43 Min. East
115 feet, more or less, to a stake where the South line
of said Expressway intersects with the West line of the
Blankenship property; thence South 37 Deg. 48 Min. West

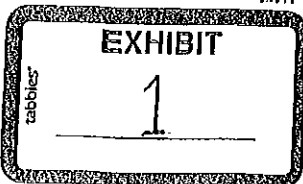
COUNTERSIGNED

OCT 27 1993

PARK M. PARKY STRADER
KNOX COUNTY

PROPERTY ASSESSOR

INST: 31435 WB 2121 PG: 1189 10/27/1993 08:52:19



Inst: 1993 0270046720
Pages: 1 of 4
Cross Ref: WB 2121/1189
Book File Automation

STEVE HALL
REGISTER OF DEEDS
KNOX COUNTY



Back File Automation

along the West line of the Blankenship property to a stake in the fence line of the Chilhowee Park property; thence South 53 Deg. West along the Chilhowee Park fence line 520 feet, more or less, to the POINT OF BEGINNING, BUT EXCLUDING any property which may have been deeded for right-of-way for Interstate 40, and

Being the property conveyed to the Tennessee Valley A & I Fair Association from: J.R. McClellan, Nora Lawson Hembree, J.W. Delozier and Robert Young, by deed dated May 1, 1963, recorded in Deed Book 1225, Page 804, and being a portion of the property conveyed to J.R. McClellan, Nora Lawson Hembree, J.W. Delozier and Robert Young by deed recorded in Deed Book 1175, Page 569, in the Knox County Register of Deeds Office.

TRACT 2 [82C-A-1A]

Situated in District No. Two of Knox County, Tennessee, lying within the 15th Ward of the City of Knoxville, lying with City Block No. 15120, being bounded on the north by the City of Knoxville, on the east by a closed portion of Woodbine Avenue and Beaman Street, on the south by the Tennessee Valley Agricultural and Industrial Fair Association, and on the west by the City of Knoxville and being more particularly described as follows;

Being all of Lot Nos. 3 and 4 in Block F of "Parkwood Manor (First Unit)" as recorded in Map Book 9, Page 81, in the Knox County Register of Deeds Office, and

Being the property conveyed to the Tennessee Valley Agricultural and Industrial Fair Association from DeWitt M. Shepard, Sr. and wife, Maude M. Shepard, by deed dated April 6, 1959, recorded in Deed Book 1107, Page 75 and the property conveyed to DeWitt M. Shepard, Sr. and wife, Maude M. Shepard from Gilbert Sterchi and wife, Nellie W. Sterchi, by deed dated January 7, 1948, recorded in Deed Book 848, Page 121, in the Knox County Register of Deeds Office.

Subject to any restrictions recorded in the Knox County Register of Deeds Office.

TRACT 3 [82C-A-1B]

Situated in District No. Two of Knox County, Tennessee, lying within the 15th Ward of the City of Knoxville, lying within City Block No. 15120, being bounded on the north by the Tennessee Valley Agricultural and Industrial Fair Association, on the east by a closed portion of Beaman Street, on the south by Tennessee Valley Agricultural and Industrial Fair Association, and on the west by the City of Knoxville and being more particularly described as follows;

Being all of Lot No. 5 in Block F of "Parkwood Manor (First Unit)" as recorded in Map Book 9, Page 81, in the Knox County Register of Deeds Office, and

Being the property conveyed to the Tennessee Valley Agricultural and Industrial Fair Association from Shepard Properties, Inc., by deed dated April 6, 1959, recorded in Deed Book 1107, Page 73 and the property conveyed to Shepard Properties, Inc. from L.D. Veal and DeWitt M. Shepard, by deed dated June 10, 1946, recorded in Deed Book 719, Page 234, in the Knox County Register of Deeds Office. For additional reference see Deed Book 705, Page

475.



Inst: 199310270848720
Page: 3 of 4

Back File Automation

Subject to any existing restrictions recorded in the Knox County Register of Deeds Office.

✓ TRACT 4 [82C-A-1C]

Situated in District No. Two of Knox County, Tennessee, lying within the 15th Ward of the City of Knoxville, lying within City Block No. 15120, being bounded on the north by the Tennessee Valley Agricultural and Industrial Fair Association, on the east by a closed portion of Beaman Street, and on the south and west by the City of Knoxville; being all of Lot 6 in Block F of "Parkwood Manor (First Unit)" as recorded in Map Book 9, Page 81, in the Knox County Register of Deeds Office, and being more particularly described as follows:

BEGINNING at an iron pin in the west line of Beaman Street at the common corner between Lots 5 and 6, said point being distant 195 feet southerly from the intersection of the western line of Beaman Street projected to the right of way line of Woodbine Avenue; thence from said beginning point with the line of Beaman Street along a curve to the right, a chord distance of South 9 deg. 22 min. West, 60 feet to an iron pin corner to Lot 7; thence with the line of Lot 7, North 80 deg. 3 min. West, 142.9 feet to an iron pin; thence North 12 deg. 6 min. East, 65 feet to an iron pin corner to Lot 5; thence with the line of Lot 5, South 78 deg. East, 140 feet to the place of BEGINNING; according to the survey of Wayne L. Smith & Associates, Engineers, Knoxville, Tennessee, dated 25 August 1960.

Being the property conveyed to the Tennessee Valley Agricultural and Industrial Fair Association from Iona H. Householder, by deed dated October 4, 1960, recorded in Deed Book 1156, Page 45, and being the property conveyed to Iona H. Householder from DeWitt M. Shepard and wife Maude M. Shepard, by correction deed dated September 15, 1960, recorded in Deed Book 1154, Page 305 and being the property conveyed to Iona H. Householder from DeWitt M. Shepard, by deed dated December 10, 1954, recorded in Deed Book 966, Page 111, in the Knox County Register of Deeds Office.

and all the right, title and interest of the Party of the First Part therein and thereto appertaining.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set its hand the day and year first above written.

TENNESSEE VALLEY AGRICULTURAL
AND INDUSTRIAL FAIR, INC.

BY:

Charles Crawford
PRESIDENT

STATE OF TENNESSEE)

COUNTY OF KNOX)

Before me, Delva H Kirtley, a Notary Public
in and for the County and State aforesaid, personally appeared
Charles P. Crawford with whom I am personally acquainted, and who, upon
oath, acknowledged himself to be the President of Tennessee Valley
Agricultural and Industrial Fair, Inc., the within named bargainor,
a nonprofit corporation, and that he as such President, being
authorized so to do, executed the foregoing instrument for the
purpose therein contained, by signing the name of the municipal
corporation by himself as President.

WITNESS, my hand and official seal at office this 20th



Delva H. Kirtley, 1993.

Delva H. Kirtley
Notary Public

Responsible taxpayer/owner(s):

CITY OF KNOXVILLE

City of Knoxville
P.O. Box 1631
Knoxville, TN 37902

Victor Ashe
VICTOR ASHE, MAYOR

APPROVED AS TO FORM:

Thomas A Varlan
THOMAS A VARLAN
DIRECTOR OF LAW

I HEREBY swear or affirm that the actual consideration or
true value of this transfer, whichever is greater, is

\$ 0

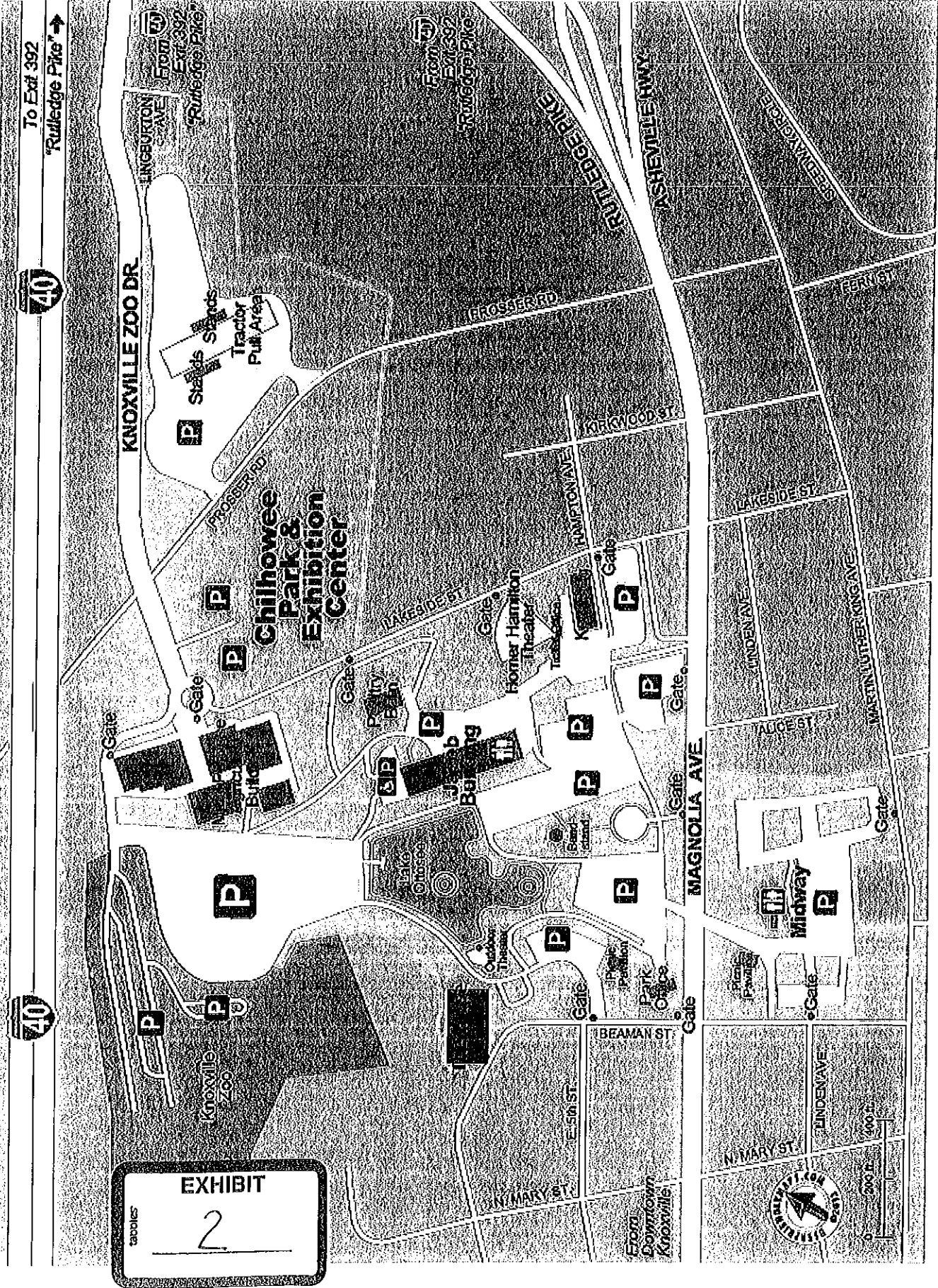
Affiant: E. Paul Shlabach

SUBSCRIBED to and sworn to before me this 2^{7th} day
of October, 1993.

B. Malry
Notary Public

MY COMMISSION EXPIRES:

Deputy Register

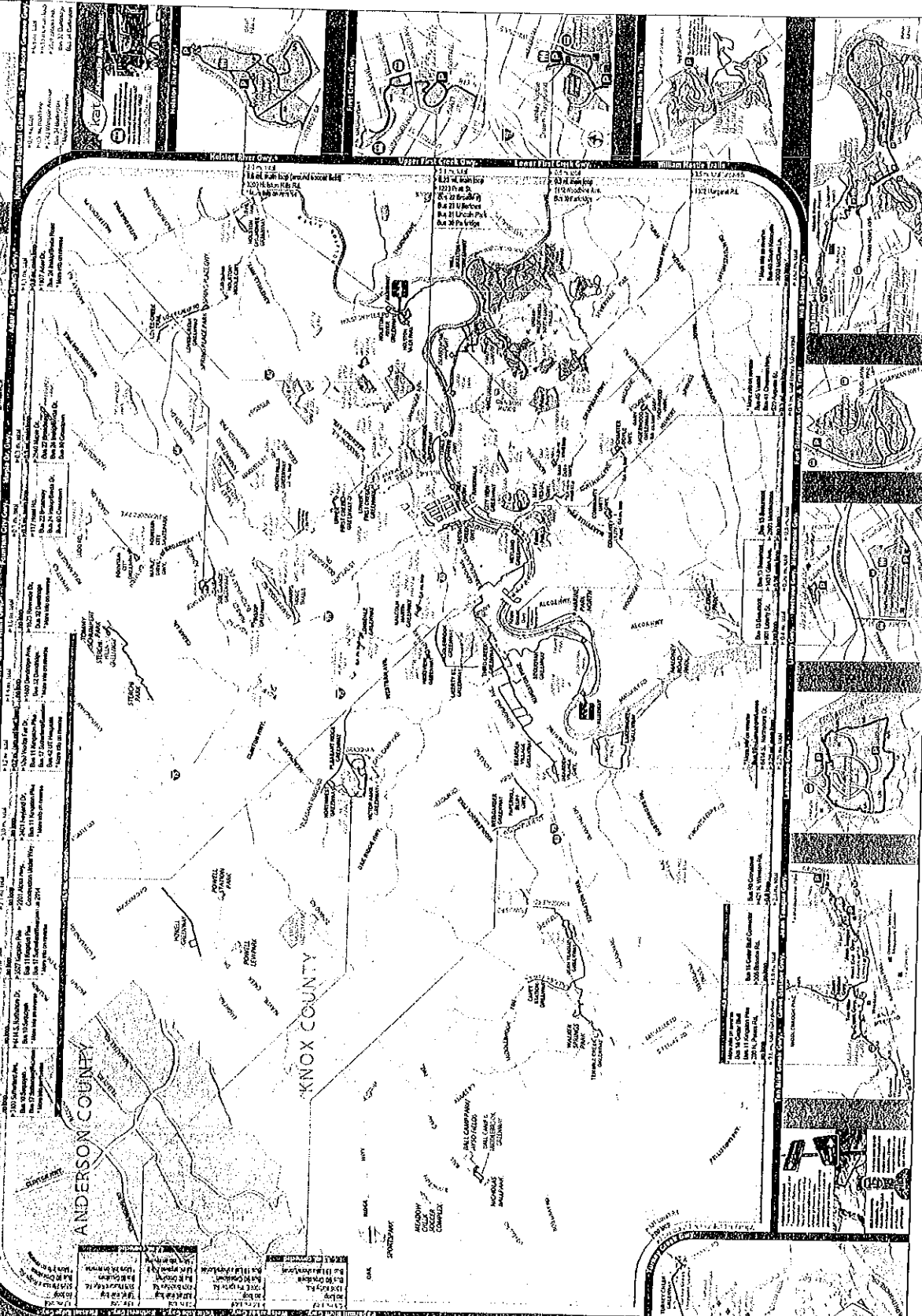


Greenways

CITY OF KNOXVILLE
Parks & Recreation
DEPARTMENT OF RECREATION



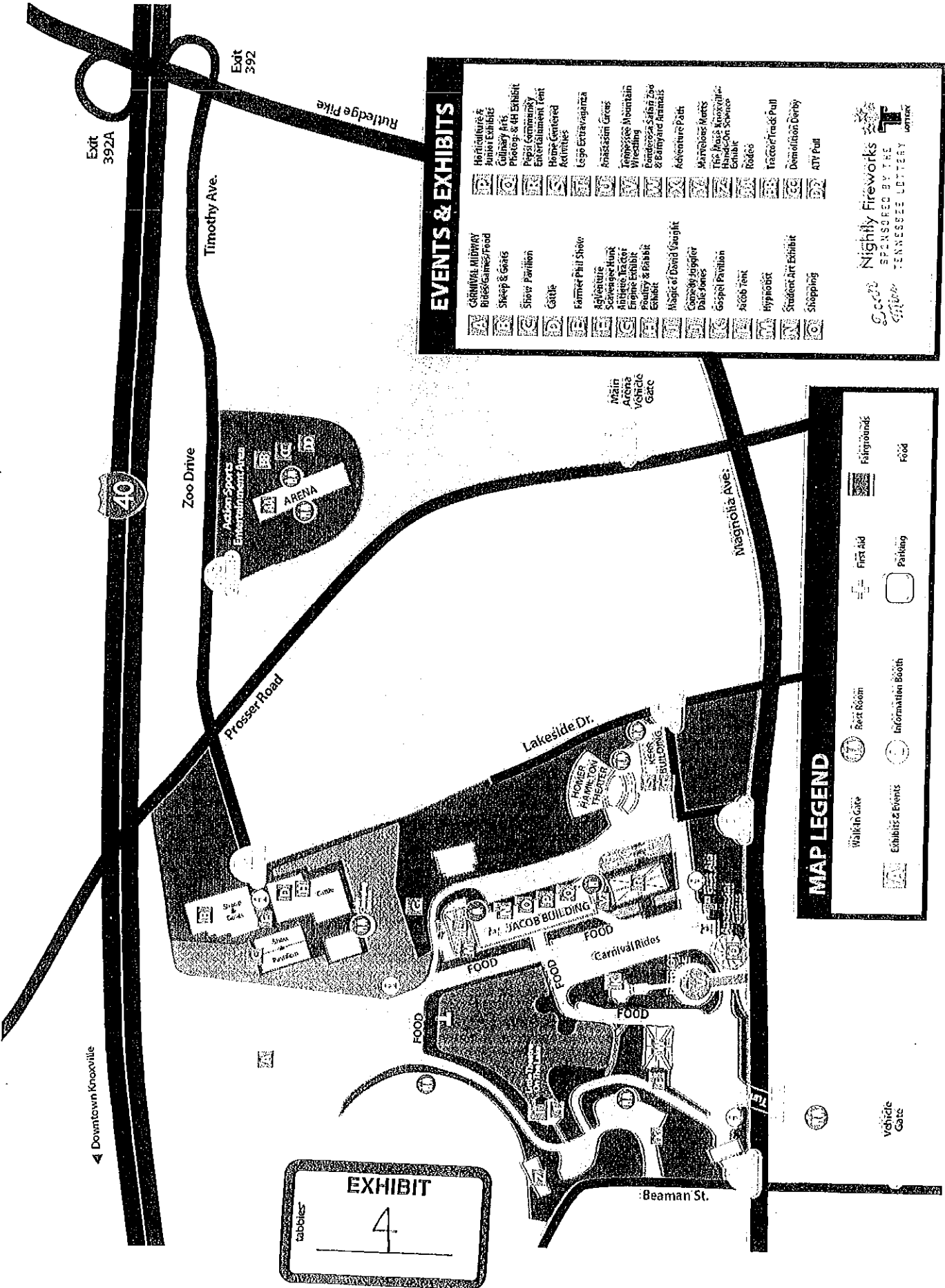
1. 100' Buffer Zone	2. 200' Buffer Zone	3. 300' Buffer Zone	4. 400' Buffer Zone	5. 500' Buffer Zone	6. 600' Buffer Zone	7. 700' Buffer Zone	8. 800' Buffer Zone	9. 900' Buffer Zone	10. 1000' Buffer Zone
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LEGEND	
[Symbol]	Greenway
[Symbol]	Park
[Symbol]	Trail
[Symbol]	Waterway
[Symbol]	City Boundary
[Symbol]	County Boundary
[Symbol]	Major Road
[Symbol]	Minor Road
[Symbol]	Highway
[Symbol]	Interchange
[Symbol]	Bridge
[Symbol]	Public Building
[Symbol]	Religious Building
[Symbol]	Government Building
[Symbol]	Commercial Building
[Symbol]	Residential Building
[Symbol]	Industrial Building
[Symbol]	Utility Building
[Symbol]	Other Building
[Symbol]	Other

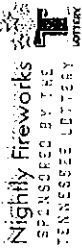
EXHIBIT
3

FOLD MARKS ARE APPROXIMATE



EVENTS & EXHIBITS

<ul style="list-style-type: none"> HERITAGE & HISTORY EXHIBITS CULINARY ARTS PEOPLE'S COMMUNITY ENTERTAINMENT TENT HOME CENTERED ACTIVITIES LEGO EXTRAVAGANZA ANASASIM GAMES TEMPERANCE MOUNTAIN WRESTLING PONDOSA SALVIN ZOO & BARNYARD ANIMALS ADVENTURE PATH MARVELOUS METS THE BOSS KNOXVILLE HANDS-ON SCIENCE EXHIBIT RODICO TRUCK & TRACTOR PULL DEMOLITION DERBY ATV PULL 	<ul style="list-style-type: none"> CARNIVAL MIDWAY RIDES/GAMES/FOOD SHEEP & GOATS SHOW PAVILION CATTLE FORMER PHIL SHOW APPOINTING SCISSOR-HAIR ARTISTS WALKOFF ENGINE EXHIBIT BEAUTY & RABBIT EXHIBIT MAGIC OF DAVID VAUGHT CONELY JAGGER DALE JONES GOSSIP PAVILION ARCOB TENT HYPOBOLT STUDENT ART EXHIBIT SHOPPING
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Nightly Fireworks
SPONSORED BY THE
TENNESSEE LOTTERY

MAP LEGEND

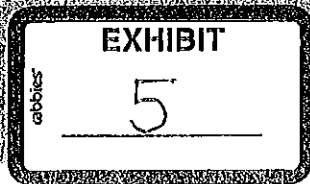
	Walk-in Gate		Rest Room
	Exhibits & Events		Information Booth
	Fairgrounds		First Aid
	Food		Parking
	Vehicle Gate		

tabbles
EXHIBIT
4

TENNESSEE VALLEY FAIR

PEPSI IS A PROUD SPONSOR OF THE TENNESSEE VALLEY FAIR

BRING ON THE BUBBLES



LIVE FOR NOW



CITY OF KNOXVILLE

Dear Friends,

Welcome to the Tennessee Valley Fair, 10 days and nights of family fun at beautiful Chilhowee Park!

Each year, thousands come from across the region to enjoy the entertainment, educational displays and exhibits the fair offers.

As one of the states' largest multi-day events, the Tennessee Valley Fair features something for everyone - from livestock shows and concerts to festive food and midway rides. And don't forget the sights and sounds of the nightly fireworks display.

This year marks the fair's 96th year, and we are proud this event takes place at the City's own Chilhowee Park. For more than a century, this park has been a mecca for public recreation and entertainment. You might notice some park

improvements this year: A new playground at the western edge, along with new public restrooms. We really want this to be a year-round center of community activity.

Whether you're here for the merry-go-round, the exhibits and contests, or just the festive atmosphere, I hope you, your family and friends have a great time at this year's fair.

Sincerely,



Madeline Rogero

Madeline Rogero
Mayor of Knoxville



Welcome to the Tennessee Valley Fair!

On behalf of Knox County, I want to welcome you to the Tennessee Valley Fair, one of East Tennessee's most popular and longest running events.

I have been going to the Tennessee Valley Fair since I was a child and can remember working a water booth for Congressman Jimmy Duncan when I was in my 20s. In Knox County, the fair has always been a family-friendly community event.

You are one of thousands of people who come to Chilhowee Park each year to enjoy every aspect of the Tennessee Valley Fair - from funnel cakes, corn dogs and cotton candy to midway rides, agriculture and live music.

The Tennessee Valley Fair is more than just rides, music and fair food. At the fair, you will also find arts

and crafts, games, livestock and vegetable judging, as well as the fairest of the Fair competition. There really is something for everyone, right down to the trademark end-of-the-night fireworks show that lights up the sky each evening.

Most importantly, I hope you have a good time and make lots of memories at this year's Tennessee Valley Fair.

Sincerely,



Tim Burchett

Tim Burchett
Knox County Mayor



The City of Knoxville's position is that exceptions to state law prohibiting handguns at government-owned facilities statewide do not apply to entertainment and public assembly facilities like Chilhowee Park.

In the last legislative session, state gun laws were amended to include exceptions allowing those with gun carry permits to bring handguns to parks, greenways and other specified recreational areas.

The City contends that the exceptions do not apply to Chilhowee Park and Exposition Center because Chilhowee Park – which is a historical name – is a public assembly, entertainment and educational venue used for civic events and by contractors for special events like the Tennessee Valley Fair. Chilhowee Park is not managed as a City of Knoxville park by the Parks and Recreation Department, nor does it function as a park or recreation facility. It has, for a number of years, been managed and marketed by the City's Public Assembly Facilities department for entertainment events and exhibitions.

Therefore, guns will continue to be prohibited at Chilhowee Park, pursuant to state law, including at events such as the Tennessee Valley Fair.





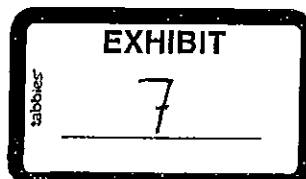
Statement: Weapons Policy
September 10, 2015

The Tennessee Valley Fair is a 501(c)3 non-profit organization that leases Chilhowee Park as a third party entity, not associated with the City of Knoxville. As a third party lessee, we reserve the right to prohibit weapons on our grounds. The Knoxville Police Department has a strong presence during all 10 days of our event and we feel they do an outstanding job maintaining a safe and secure environment for our guests.

Media Inquiries:

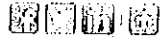
Scott Suchomski
Executive Director
865-215-1477 / scotts@tnvalleyfair.org

Sarah Carson
Director of Marketing
865-215-1473 / sarah@tnvalleyfair.org



Ronald Mills

From: Tennessee Valley Fair <sarah@tnvalleyfair.org>
Sent: Thursday, September 10, 2015 2:32 PM
To: Greg Mackay
Subject: Media Alert: Statement on 2015 Weapons Policy

 Like

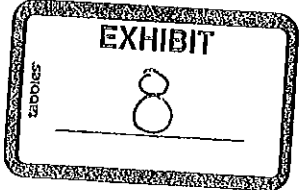


FOR IMMEDIATE RELEASE

Contact: Sarah Carson
(865) 215-1473
sarah@tnvalleyfair.org



Statement on Weapons Policy



The Tennessee Valley Fair is a 501(c)3 non-profit organization that leases Chilhowee Park as a third party entity, not associated with the City of Knoxville. As a third party lessee, we reserve the right to prohibit weapons on our grounds.

The Knoxville Police Department has a strong presence during all 10 days of our event and we feel they do an outstanding job maintaining a safe and secure environment for our guests.

City of Knoxville Statement:

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In the last legislative session, state gun laws were amended to include exceptions allowing those with gun carry permits to bring handguns to parks, greenways and other specified recreational areas.

The City contends that the exceptions do not apply to Chilhowee Park and Exposition Center because Chilhowee Park - which is a historical name - is a public assembly, entertainment and educational venue used for civic events and by contractors for special events like the Tennessee Valley Fair. Chilhowee Park is not managed as a City of Knoxville park by the Parks and Recreation Department, nor does it function as a park or recreation facility. It has, for a number of years, been managed and marketed by the City's Public Assembly Facilities department for entertainment events and exhibitions.

Therefore, guns will continue to be prohibited at Chilhowee Park, pursuant to state law, including at events such as the Tennessee Valley Fair.

About the Tennessee Valley Fair

The Tennessee Valley Fair is a non-profit, 501(c)(3) organization and one of the state's largest multi-day events attracting 150,000 attendees each year. Known for its innovative exhibits, livestock shows, concert series, action sports, exciting rides and variety of unique foods, the Tennessee Valley Fair offers great entertainment for the entire family. The Tennessee Valley Fair is proud to present nightly fireworks sponsored by the Tennessee Education Lottery. For more information, please visit www.tnvalleyfair.org or call (865) 215-1470.

Visit our News Room

Forward this email

Spam

This email was sent to gmackay@cityofknoxville.org by sarah@tnvalleyfair.org
[Update Profile/Email Address](#) Rapid removal with [SafeUnsubscribe™](#) [About our service provider.](#)

Spam
Constant Contact®

Tennessee Valley Fair 3301 E. Magnolia Ave. P.O. Box 6066 Knoxville TN 37914

2015 Appalachian Pricer

ALL-YOU-CAN-RIDE WRISTBANDS*

Provided by Wildc Shows, Inc.

Friday, September 11	\$22
Saturday, September 12	\$25
Sunday, September 13	\$25
Monday, September 14	\$20
Tuesday, September 15	\$20
Wednesday, September 16	\$20
Thursday, September 17	\$20
Friday, September 18	\$22
Saturday, September 19	\$25
Sunday, September 20	\$25

RIDE TICKETS \$15 each or 20 rides for \$20.00
 *Wristbands good for one day of unlimited rides at the fair

ADULT AND CHILDREN

Adult Admission	\$10
Senior Citizens 65 and over	\$8
Children 6-11 years old	\$6
Children 5 and under	Free
	\$7

LOOKING FOR A DEAL?
 Our Daily Discounts
 are at the bottom of pages 9-21!

2015 South of Operation

	GATES OPEN	RIDES OPEN	RATES & RIDES CLOSE
Friday, September 11	3:00 pm	4:00 pm	midnight
Saturday, September 12	10:00 am	11:00 am	midnight
Sunday, September 13	12:00 pm	1:00 pm	11:00 pm
Monday, September 14	10:00 am	10:00 am	11:00 pm
Tuesday, September 15	10:00 am	4:00 pm	11:00 pm
Wednesday, September 16	3:00 pm	4:00 pm	11:00 pm
Thursday, September 17	3:00 pm	3:00 pm	11:00 pm
Friday, September 18	3:00 pm	3:00 pm	midnight
Saturday, September 19	10:00 am	11:00 am	midnight
Sunday, September 20	12:00 pm	1:00 pm	midnight

Safety

Your safety is our top priority. The Knoxville Police Department is on site all 10 days of the Fair. If you have a concern, an officer is on duty at the information booth located next to First Aid. (See page 16-17 for map) Please note: no weapons of any kind are permitted at Chilhowee Park. All entrants are subject to search before entering the Fairgrounds. No backpacks or selfie sticks will be permitted on the fairgrounds. No re-entry after 10 PM.

Guest Services

Need help? Ask us! Information booths are located throughout the Fairgrounds for your convenience. See pages 16 & 17 for event map.

CONTACT US -

Have a question or concern? We're here to help! Call us at 865-215-1471 or email info@chilhowee.com

Daily Appalachian

FAMILY FUN AT EVERY TURN!
 (See map on page 16 & 17 for event locations)

ADVENTURE SCAVENGER HUNT

Located at the Prosser Road Gate-Information Booth
 Open During Fair Hours

This fun filled scavenger hunt allows kids to experience agriculture like never before! Pick up an activity map at the Prosser Road Information Booth to get started! Each child receives a free Wendy's kids meal coupon upon completion.

ANASTASINI CIRCUS

Located in Kiddie Land, on the hill
 Fri (9/11) 7:00pm, 8:30pm
 SAT & SUN (9/12 & 9/13) 3:00pm, 5:30pm, 8:30pm
 MON (9/14) Noon, 7:00pm, 8:30pm
 TUES (9/15) 11:30am, 6:30pm, 8:30pm
 WED, THURS & FRI (9/16 - 9/18) 7:00pm, 8:30pm
 SAT & SUN (9/19 & 9/20) 2:00pm, 5:30pm, 8:30pm

ANTIQUE ENGINE & TRACTOR SHOW

Located at the Hilltop Area
 Open During Fair Hours

FARMER PHIL SHOW

Located in Kiddie Land (Next to Ponderosa Zoo)
 The World's ONLY comedy, juggling, magic, AG-education show!
 Fri (9/11) 6pm, 7:30pm
 SAT & SUN (9/12 & 9/13) 2pm, 4pm, 5:30pm, 7:30pm
 MON (9/14) Noon, 6pm, 7:30pm
 TUES (9/15) 11am, 1pm, 6pm, 7:30pm
 WED (9/16) 6pm, 7:30pm
 THURS (9/17) 6pm, 7:30pm
 FRI (9/18) 6pm, 7:30pm
 SAT & SUN (9/19 & 9/20) 2pm, 4pm, 5:30pm, 7:30pm

THE GOSPEL PAVILION

Located at the Bandstand
 4 Nights of Live Gospel Music
 September 11-14, 6:00 PM - 10:00 PM

HYMNIST CHRIS MASREY

Located in the Jacob Tent
 Fri (9/11) 7am, 9am
 SAT & SUN (9/12 & 9/13) 4pm, 7am, 9am
 MON (9/14) - FRI (9/18) 7am, 9am
 SAT & SUN (9/19 & 9/20) 4am, 7am, 9am

JUGGLER DALE JONES

Located at the Theatre on the Lake
 Fri (9/11) 6:20pm
 SAT & SUN (9/12 & 9/13) 4:00pm, 6:30pm & Strolling
 MON (9/14) - FRI (9/18) 6:30pm
 SAT & SUN (9/19 & 9/20) 4:00pm, 6:30pm & Strolling

KIDDIE LAND

Age appropriate rides and games specifically for younger guests.
 Open During Fair Hours

MAGICIAN GAVE VAUGHT

Located at the Theatre on the Lake
 Fri (9/11) 5:30pm, 8:30pm
 SAT & SUN (9/12 & 9/13) 1pm, 3:00 pm, 5:30pm, 8:30pm
 MON & TUES (9/14 & 9/15) 11:30 am, 5:30pm, 8:30pm
 WED, THURS & FRI (9/16 - 9/18) 5:30pm, 8:30pm
 SAT & SUN (9/19 & 9/20) 1pm, 3:00 pm, 5:30pm, 8:30pm

MARVELOUS MITTS - A CANINE SPECTACULAR!

Located next to the Pepsi Tent
 Fri (9/11) 6:00pm, 7:30pm
 SAT & SUN (9/12 & 9/13) 1:30pm, 4:30pm, 7:00pm
 MON & TUES (9/14 & 9/15) 1:00pm, 6:00pm, 7:30pm
 WED, THURS & FRI (9/16 - 9/18) 6:00pm, 7:30pm
 SAT & SUN (9/19 & 9/20) 1:30pm, 4:30pm, 7:00pm

THE MUSE KNOXVILLE - MUSE

S.T.E.M. SCIENCE ACTIVITIES
 Bubbles, bubbles everywhere! Design and make your own bubble wand. See how Bubbles behave and show off your bubble-making skills!
 Fri (9/11) 3:00pm - 7:00pm
 SAT (9/12) 10:00pm - 6:00pm
 SUN (9/13) 10:00pm - 5:00pm
 FRI (9/18) 3:00pm - 7:00pm
 SAT (9/19) 10:00pm - 6:00 pm
 SUN (9/20) 10:00pm - 5:00 pm

PONDEROSA SAFARI ZOO

Located in Kiddie Land
 This interactive petting zoo includes goats, sheep, rabbits, ducks, and exotic animals.
 Open During Fair Hours

STUDENT EXHIBITS: SHOWCASING THE DIVERSITY OF EAST TENNESSEE

STUDENT ART, AGRICULTURE, AND MORE
 Located in the Jacob Building
 Closes at 10:00pm nightly

EXHIBIT 11

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EXHIBIT 11

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EXHIBIT 11

EXHIBIT 11

EXHIBIT 11

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EXHIBIT 11

EXHIBIT 11

From: Scott Suchomski [mailto:scotts@tnvalleyfair.org]
Sent: Monday, August 17, 2015 2:54 PM
To: Greg Mackay
Subject: FW: Tennessee Valley Fair

As discussed.

Scott

Scott Suchomski, CFF
Executive Director

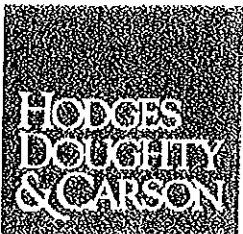
Tennessee Valley Fair
P.O. Box 6066
Knoxville, TN 37914
P: 865-215-1477 – F: 865-215-1483
tnvalleyfair.org / facebook.com/tnvalleyfair

2015 Fair Dates: September 11th – 20th

A non-profit organization dedicated to showcasing East Tennessee heritage, agriculture and the arts for over 90 years.

From: Dora Concho [mailto:dconcho@hdclaw.com] **On Behalf Of** Dean B. Farmer
Sent: Tuesday, August 11, 2015 11:42 AM
To: scotts@tnvalleyfair.org
Subject: Tennessee Valley Fair

Please see the attached.



Dora Lee Concho
Legal Assistant/Paralegal
and A Mediator/Arbitrator
603 Main Street
P.O. Box 369
Knoxville, TN 37914
Telephone: 865.292.2307
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From: Scott Suchomski [mailto:scotts@tnvalleyfair.org]
Sent: Tuesday, August 18, 2015 2:48 PM
To: Monty Houk
Subject: FW: Tennessee Valley Fair

Per our discussion last night.

Thanks.

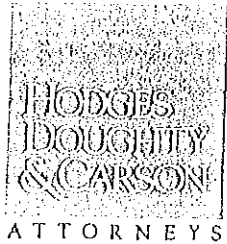
From: Dora Concho [mailto:dconcho@hdclaw.com] **On Behalf Of** Dean B. Farmer
Sent: Tuesday, August 11, 2015 11:42 AM
To: scotts@tnvalleyfair.org
Subject: Tennessee Valley Fair

Please see the attached.



Dora Lee Concho
Legal Assistant to Dean B. Farmer, Esq. and
W. Michael Bailey, Esq.
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 RICHARD L. CARSON (1912-1980)
 JOHN P. DAVIS, JR. (1923-1977)

August 10, 2015

Direct Line: (865) 292-2242
 E-Mail Address: dfarmer@hdclaw.com

Scott Suchomski, CFE
 Tennessee Valley Fair
 P.O. Box 6066
 Knoxville, TN 37914

VIA FIRST CLASS MAIL &
 EMAIL: scotts@tnvalleyfair.org

Re: Tennessee Valley Fair

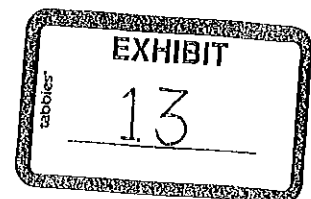
Dear Scott:

Attached please find a copy of the State Attorney General Opinion issued July 29, 2015. In my opinion, the Opinion with regard to the admission of persons within a public park is not applicable to the Tennessee Valley Fair. My reasons are as follows.

The application of this opinion concerns whether it makes a criminal offense to carry handguns "in or on grounds of any public park, playgrounds, civic center or other building area privately owned used by or operated by municipality, county or State Government or instrumentality thereof, for recreational purposes."

By its terms, that does not apply to the Tennessee Valley Fair. The Tennessee Valley Fair has a defined lease of the property; we are using it for purposes of putting on the Tennessee Valley Fair as it has been the case for many years. We are not operating a public park for and on behalf the municipal or county government or for public recreational purposes.

While I recognize that this is not entirely free from all ambiguity you should note that the issue is whether this is an exception from a criminal statute. We do not intend to charge anyone criminally but we can control since the operation of our facility which is not for a public recreation facility. The operation of our facility is a private purpose for putting on a fair wherein in fact we control the entire facility.



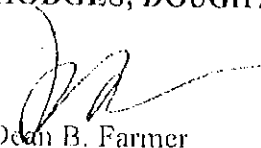
Scott Suchomski, CFE
Tennessee Valley Fair
August 10, 2015
Page (2)

My opinion is that we should continue to not allow possession of firearms at the Tennessee Valley Fair. If you want to discuss this further, please feel free to call or if you want me to create any further investigation I will, but I do not believe that the opinion relates to the Tennessee Valley Fair. We are not a private company operating a public park.

Please advise if you have any question in this regard.

Very truly yours,

HODGES, DOUGHTY & CARSON



Dean B. Farmer

DBF:dle
Enclosure

STATE OF TENNESSEE
OFFICE OF THE ATTORNEY GENERAL

July 29, 2015

Opinion No. 15-63

Possession of Firearms in Public Parks Owned by Counties and Municipalities

Question 1

If a municipality that owns a public park contracts with a nonprofit corporation to operate that park on behalf of the municipality, does the park lose its status as a “public park” so that the nonprofit corporation may prohibit holders of valid handgun carry permits from possessing handguns within that park?

Opinion 1

No. The property retains its status as a public park, and the nonprofit corporation that contracts with a county or municipal government to operate a park, playground, civic center, or other facility owned by the county or municipality may not prohibit holders of valid handgun carry permits from possessing handguns on the premises.

Question 2

If the nonprofit corporation that contracts to operate a public park on behalf of a municipality does not have the authority to prohibit the possession of firearms within the park, and if the nonprofit corporation permits or authorizes a third party, by lease or contract, to use the park for a specific event or for a set period of time, may the third party prohibit holders of valid handgun carry permits from possessing handguns within the park for the duration of that event?

Opinion 2

No. A third party that obtains any authorization from a contracted nonprofit operator for the temporary use of a park, playground, civic center, or other facility owned by the county or municipality may not prohibit holders of valid handgun carry permits from possessing handguns on the premises.

Question 3

Does a public park lose its status as a “public park” if a municipality or nonprofit corporation operating the park on behalf of the municipality charges a fee to members of the public to enter or use the park?

Opinion 3

No.

Question 4

Does a public park lose its status as a “public park” if, in addition to charging an entry or use fee, the municipality or nonprofit corporation that operates the park on behalf of the municipality erects a fence or other barrier around the premises?

Opinion 4

No.

ANALYSIS

Tennessee Code Annotated § 39-17-1311(a) makes it a criminal offense for any person to possess or carry certain weapons, including handguns, “in or on the grounds of any public park, playground, civic center or other building facility, area or property owned, used or operated by any municipal, county or state government, or instrumentality thereof, for recreational purposes.” Subsection (a) does not apply, however, to “[p]ersons possessing a handgun, who are authorized to carry the handgun pursuant to § 39-17-1351, while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by the state, a county, a municipality or instrumentality thereof.” Tenn. Code Ann. § 39-17-1311(b)(1)(H). Thus, because of the exception in subsection (b)(1)(H), it is not an offense for persons with valid handgun permits to carry handguns in public parks.

You have asked, in essence, whether the operation of a city-owned public park by a private company will change the status of the park from public to non-public so that that the exception in subsection (b)(1)(H) would not apply and guns could be banned in parks operated by a private company under subsection (a). You have asked, along those same lines, whether charging an entry or use fee or physically limiting access to a public park would make the park non-public and, therefore, not subject to the exception.

When construing a statute, the primary object is to give effect to the intent of the legislature. *Morgan Keegan Co., Inc. v. Smythe*, 401 S.W.3d 595, 602 (Tenn. 2013). If the statutory text is clear and unambiguous, legislative intent is to be found in the ordinary and natural meaning of the

statutory language. *Nye v. Bayer Cropscience, Inc.*, 347 S.W.3d 686, 694 (Tenn. 2011). If legislative intent can be found in the plain meaning of the statute, courts will “neither alter or amend statutes nor substitute their own policy judgments for those of the General Assembly.” *Armbrister v. Armbrister*, 414 S.W.3d 685, 704 (Tenn. 2013). A court will not find a statute to be ambiguous unless the language “is capable of conveying more than one meaning.” *Sallee v. Barrett*, 171 S.W.3d 822, 828 (Tenn. 2005). *See also, State v. Hannah*, 259 S.W.3d 716, 721 (Tenn. 2008).

“As a general rule of statutory construction, a change in the language of a statute indicates a departure from the old language was intended.” *Lavin v. Jordon*, 16 S.W.3d 362, 369 (Tenn. 2000). When a statute has been amended, it should “be construed with reference to pre-existing law and should not be interpreted to change it further than the express terms or necessary implications.” *State v. Bowery*, 189 S.W.3d 240, 248 (Tenn. Crim. App. 2004).

The exception set out in subsection (b)(1)(H) was amended, effective April 6, 2015, by Chapter 250 of the 2015 Public Acts of Tennessee. Before that amendment, persons who possessed valid handgun carry permits were, likewise, excluded from the scope of subsection (a) and were, therefore, conditionally authorized to carry handguns in public parks, playgrounds, civic centers, and other facilities owned, used, or operated for recreational purposes by the state or any county or municipal government. Tenn. Code Ann. § 39-17-1311(b)(1)(H) (2014). At the same time, however, the municipal or county government could opt to prohibit the possession of handguns carried by individuals with valid handgun carry permits in parks and other recreational facilities by following certain procedures specified in Tenn. Code Ann. §§ 39-17-1311(c), (d), and (e).

After the enactment of Chapter 250, municipal and county governments no longer have the option of prohibiting the possession of handguns carried by individuals with valid handgun carry permits in public parks and other recreational facilities. The legislature eliminated this option by repealing Tenn. Code Ann. §§ 39-17-1311(c), (d), and (e) and by deleting the phrase “except as otherwise provided in subsection (d)” from subsection (b)(1)(H). 2015 Public Acts of Tennessee, Ch. 250, § 1, § 2.

The language of Tenn. Code Ann. § 39-17-1311 in both its prior version and as amended by Chapter 250 is clear and unambiguous. Reading Chapter 250 in light of prior law leaves little room for doubt that the legislature intended to remove from counties and municipalities the option they had before the effective date of Chapter 250 to prohibit holders of valid handgun carry permits from possessing handguns in parks and other recreational facilities owned by those governmental entities. By repealing subsections (c), (d), and (e) and removing the companion language in subsection (b)(1)(H), the legislature clearly and unambiguously removed any option or authority that counties and municipalities formerly had to prohibit a handgun carry permit holder from possessing a handgun in a park or other recreational facility.

By its terms, Tenn. Code Ann. § 39-17-1311 applies “in or on the grounds of any public park, playground or civic center or other building facility, area or property owned, used or operated by any municipal county or state government, or instrumentality thereof, for recreational

purposes.” Tenn. Code Ann. § 39-17-1311(a). The statute does not make any exceptions for facilities that are owned by a county or municipality but are operated under contract by a nonprofit corporation or other non-governmental entity. It makes no exception for facilities that charge admission or user fees or for facilities that have fences or other barriers to control ingress and egress. Applicability of the statute is not limited to normal or customary hours of operation of the facilities, and there is no exception for facilities that may be temporarily used for special events with limited attendance.

“It is a well settled principle of law that one cannot do indirectly what cannot be done directly.” *Haynes v. City of Pigeon Forge*, 883 S.W.2d 619, 622 (Tenn. App. 1994). Since counties and municipalities cannot use direct means to prohibit handgun possession by individuals with valid handgun carry permits in their parks, they cannot use indirect means--such as contracting with nonprofit entities to disallow the possession of such handguns in their parks or other recreational facilities.

It is likewise well established that one cannot transfer something one does not possess. *See, e.g., Lisenbee v. Parr*, 465 S.W.2d 361, 365 (Tenn. App. 1970). Since a county or municipality no longer has the authority to prohibit handgun carry permit holders from possessing handguns in public parks and other recreational facilities, a county or municipality cannot convey or delegate any such authority to anyone else, either directly or indirectly.

By its plain terms, as amended, Tenn. Code Ann. § 39-17-1311 applies to all parks and all other recreational facilities that are owned or operated by a county or municipality. County or municipal ownership is all that is needed to bring the property within the scope of the statute. Whether a fee is charged for use or admission or whether use or admission is free of charge is irrelevant. Likewise, it is irrelevant whether access is controlled by physical barriers or not.

Moreover, an admission or use charge or a fence would not cause a public park or other public facility to lose its status as a public park or public facility. The term “public” commonly connotes property that has been set aside or is used to serve the state, county, or municipality as a whole as opposed property used for private gain. *See, Webster’s Ninth New Collegiate Dictionary*, at 952 (1988). The nature or character of the facility thus depends upon its purpose or the reason for its existence. The fact that admission or use fees may be charged does not alter the public character of a public facility. For example, the legislature has from time to time authorized the construction of toll roads and bridges. Those roads and bridges were intended to serve the public at large. That purpose is not changed by the imposition of the costs of construction and maintenance on those who use them. *See, e.g., Montgomery County Clarksville & Russellville Turnpike Co.*, 109 S.W. 1152 (Tenn. 1908). State parks provide another example. Fees are charged to use campgrounds, golf courses, and other recreational facilities and to stay in lodges or cabins that are located within state parks. Such facilities do not lose their public character because the fee or other charge is imposed to defray the cost of providing the services offered and maintaining the properties.

Nor does the presence of gates, fences, or other barriers destroy the public character of a park or other public facility. Many municipal and county parks and other recreational facilities

are not always open on a 24/7 basis. They often have set days and hours of operation and commonly use locked doors or gates and walls and fences to control access and to secure the property when it not in operation. Public swimming pools are a prime example, as are dog parks. Controlled and limited access to swimming pools is, indeed, mandatory for safety reasons, but that does not make the swimming pool non "public." In short, a park or other facility will not lose its public character simply because access is limited or controlled either physically or by the imposition of a fee.

HERBERT H. SLATERY III
Attorney General and Reporter

ANDRÉE SOPHIA BLUMSTEIN
Solicitor General

MICHAEL A. MEYER
Deputy Attorney General

Requested by:

The Honorable Lee Harris
State Senator
315 War Memorial Building
Nashville, TN 37243

Eric Vreeland

From: Eric Vreeland
Sent: Thursday, September 10, 2015 2:05 PM
To: 'Scott Suchomski'
Subject: RE: Weapons at Tennessee Valley Fair
Attachments: 091015 Chilhowee Park statement.docx

Scott – here's the statement we're sending out to media representatives that have asked for the City's position.

From: Scott Suchomski [mailto:scotts@tnvalleyfair.org]
Sent: Thursday, September 10, 2015 1:55 PM
To: 'Dean B. Farmer'; David Rausch; Eric Vreeland
Subject: Weapons at Tennessee Valley Fair

I wanted to share a conversation I just had with State Senator Bill Dunn who has fielded a few calls regarding the weapon issue at the Fair.

His answer to his inquiries is that the Fair has school groups on the grounds at all times (FFA, 4-H, etc) and therefore would have the right to prohibit weapons during the operation of the Fair.

For your information and consideration.

Thanks,

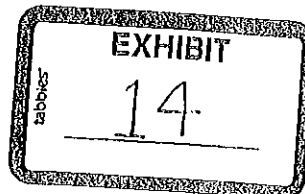
Scott

Scott Suchomski, CFE
Executive Director

Tennessee Valley Fair
P.O. Box 6066
Knoxville, TN 37914
P: 865-215-1477 – F: 865-215-1483
tnvalleyfair.org / facebook.com/tnvalleyfair

2015 Fair Dates: September 11th – 20th

A non-profit organization dedicated to showcasing East Tennessee heritage, agriculture and the arts for over 90 years.



From: [Greg Mackay](#)
To: [Scott Suchomski \(scotts@tnvalleyfair.org\)](mailto:scotts@tnvalleyfair.org)
Cc: [Sarah Thompson \(sarah@tnvalleyfair.org\)](mailto:sarah@tnvalleyfair.org)
Subject: FW: City's position on guns at the Tennessee Valley Fair
Date: Thursday, September 10, 2015 2:06:00 PM
Attachments: [091015 Chilhowee Park statement.docx](#)

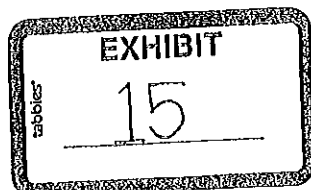
From: Eric Vreeland
Sent: Thursday, September 10, 2015 2:03 PM
To: hughwillett@aol.com
Cc: Eric Vreeland; Jesse Mayshark
Subject: City's position on guns at the Tennessee Valley Fair

HUGH –

Here's the City's position on guns continuing to be prohibited at Chilhowee Park for the Tennessee Valley Fair.

Eric Vreeland
Communications Manager
evreeland@knoxville.tn.gov
865-215-3480 (o)
865-258-3431 (cell)

 CITY OF KNOXVILLE



Charles Swanson

From: Dean B. Farmer <dfarmer@hdclaw.com>
Sent: Thursday, September 10, 2015 1:26 PM
To: Charles Swanson
Subject: Re: TVA&I Fair Gun Ban

Just talked with Doug, Think he began to understand. Wants to see my opinion , if fair director approves any reason not to give to him. Told him it was not written to persuade gun carry permit holders. Dean

Dean B. Farmer
Sent from my iPhone

On Sep 10, 2015, at 1:00 PM, Charles Swanson <cswanson@knoxvilletn.gov<<mailto:cswanson@knoxvilletn.gov>>> wrote:

This is one of about 40 similar emails I have received today from similarly-minded folks, most of whom are not Knoxville residents. Still, I thought you might want to respond to this one!

From: Doug Dutton [<mailto:daddutton@yahoo.com>]
Sent: Thursday, September 10, 2015 11:17 AM
To: Knoxville Mayor
Cc: Charles Swanson; bill.haslam@tn.gov<<mailto:bill.haslam@tn.gov>>;
rep.jason.zachary@capitol.tn.gov<<mailto:rep.jason.zachary@capitol.tn.gov>>;
sen.richard.briggs@capitol.tn.gov<<mailto:sen.richard.briggs@capitol.tn.gov>>
Subject: TVA&I Fair Gun Ban

Dear Mayor,

I believe Charles Swanson will confirm that the published illegal ban of guns at the TVA&I Fair is not allowed by current law in Tennessee. This appears to be flagrant abuse by the Fair, probably hoping to intimidate Handgun Carry Permit holders into not defending themselves by lawfully carrying weapons at this city park.

I urge you to publicly announce that the city will comply with current state law and revoke this illegal policy.

Doug Dutton
12031 S Fox Den Dr
Knoxville, TN 37934
865-966-0542

