

Nashville bar owners plan to ban guns

Nightclubs, fearful of violence and liability, enact own rules in defensive approach to new Tennessee law

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At Doc Holliday's Saloon, the sign over the bar that says "Please Check Your Guns at the Door" used to be a part of the décor. Now it's more of a political stance.

Owner Josh Green says his location on Second Avenue is a quiet, mostly local haunt, but he acknowledges that he has shut the bar down on several occasions when violence has heated up a few blocks down. He can't imagine ever willingly letting someone into his bar with a sidearm.

Just up the street, Jessie Lee Jones, the owner of Robert's Western World, says he is worried about armed people with ill intent coming into his bar, but he would feel hypocritical to deny the masses that right since he carries his own firearm most places. In the wake of a new state law that allows guns where alcohol is served, bar owners across Middle Tennessee are planning to post signs banning firearms from their establishments. The reason is twofold: public safety and concerns over what liability restaurants might have if they don't act and a shooting occurs.

The law goes into effect on July 14.

"This law is creating more problems than it'll alleviate," said Green, who opened his bar last fall. "You have to worry about serving people who are underage, people who drink too much, who want to fight. This doesn't help us."

Though the National Rifle Association now counts 39 states with some type of law allowing guns where alcohol is served, many of those states have protections for business owners built in, protecting them from blame.

The Tennessee legislature may have to pass more laws to protect bars, said Nashville attorney David Raybin. Until that happens, he says, he'd advise clients to post the sign and let someone else be a test case if a shooting were to happen.

"My prudent advice would be that, because you have the capacity to exclude people with firearms, if you don't and someone is injured, you run the risk of a greater liability," Raybin said. "Whether that will pan out as a court holding that way is another matter."

North Carolina tourist Mark Tilley said he isn't worried about Tennessee's new law. The truck driver was visiting this week with his son, Zachary, 8, and they both hunt and use guns. They don't worry about who may be carrying when they are out and about.

But Tilley personally wouldn't bring a gun to a restaurant. He thinks it's dangerous.

"We don't want to intimidate anybody," Tilley said. "I try not to carry in public because I know people feel uncomfortable ... law enforcement are really the only ones who ought to carry in populated areas."

Group provides signs

All of the business owners Walt Baker has talked to have felt the same way. Baker, CEO of the Tennessee Hospitality Association, said not a single restaurant owner he's spoken with has planned to go along with the new law. "We're going to be providing signage to our members," Baker said. "We're taking orders."

While many business owners tell him they're worried about safety, the liability issue is the big unknown, Baker said.

"All you have to do is look at the behavior patterns of society," Baker said. "If something happens, you're going to have to hire an attorney. ... It doesn't matter if you're right or wrong these days."

There are conflicting reports on how common laws like Tennessee's are in the nation. The National Rifle Association reports that 39 states now have some form of a law that allows carrying weapons in places that serve alcohol. The Legal Community Against Violence reports 22 states have laws that ban the practice.

A law enacted last year in Georgia allows people to carry weapons into establishments that serve alcohol. The Georgia Restaurant Association opposed the law but ensured a provision was included to say that, so long as an owner wasn't aware that something was going to happen, he or she couldn't be held liable if it did.

Owners there are also allowed to post a sign to ban guns if they choose, said Keisha Carter, public affairs director for the Georgia Restaurant Association.

"There really hasn't been an impact one way or another," Carter said. "I can't say 100 percent that we all wanted this or not, but the overwhelming majority didn't want to have to make that choice."

Jones, owner of the Broadway honky-tonk Robert's, says he will give the new law some time. He hopes, in return, the legislature will make a more stringent process to get handgun carry permits.

"I'm willing to oblige, give it a chance and see what happens," Jones said. "But I know the other side of people, the evil side of people. These people should be monitored and evaluated. Before we hand out permits and allow a person to walk into my place of business, I think we should make sure this guy is a person we could trust."

Bar owners outside Nashville are approaching the new law with caution. Pam Barnes has already called to have signs made for Coach's EastGate Grille in Lebanon. Barnes said that in her two years as owner, the bar has called the police only once, and that was because someone skipped on a tab. She'd like to keep it that way.

"It seems like common sense," she said.