

Ordinance No. 515A-2014

AN ORDINANCE AMENDING ORDINANCE 515-2014 RE SHOOTING RANGES AND NO SHOOTING AREAS; AND DECLARING AN EMERGENCY

WHEREAS, Kitsap County recently adopted Kitsap County Ordinance 515-2014, which regulates “Firearm Discharge” within unincorporated Kitsap County; and

WHEREAS, the adoption of Ordinance 515-2014 culminated a multi-year review that included a Range Committee and focused on regulations for public shooting ranges; and

WHEREAS, while Kitsap County Ordinance 515-2014 primarily addressed the regulation of public shooting ranges, some changes were made to Article 1 of Kitsap County Code Chapter 10.25 dealing with the establishment of “No Shooting Areas”; and

WHEREAS, it has come to the Board of County Commissioners’ attention that one of the amendments to the Article 1 of Chapter 10.25 KCC has been perceived as potentially banning certain types of hunting in unincorporated Kitsap County; and

WHEREAS, the Board of County Commissioners did not intend to regulate hunting activities that are lawful under state and federal law; and

WHEREAS, an amendment to Ordinance 515-2014 is necessary to clarify that the Ordinance does not regulate otherwise lawful hunting activities; and

WHEREAS, because of the public perception regarding a hunting ban, and because certain types of hunting season are currently open, and in order to avoid a mistaken perception that some hunting is banned in unincorporated Kitsap County, the Board of County Commissioners hereby declares the amendment to Ordinance 515-2014 to be an emergency and necessary to be done immediately so that the public is aware of the change.

NOW THEREFORE THE KITSAP COUNTY BOARD OF COMMISSIONERS DO ORDAIN AS FOLLOWS:

Section 1. KCC 10.25.030 Exceptions, adopted by Ordinance 515-2014, is hereby amended as follows:

10.25.030 Exceptions.

The provisions of Section 10.25.020 shall not apply to the discharge of firearms:

(1) By law enforcement officers, including Washington State Department of Fish and Wildlife officers, or security personnel in the course of their official duties;

(2) On a shooting range, provided that any such range shall comply with the criteria for ranges adopted by the Kitsap County board of commissioners pursuant to Article 2 of this chapter;

(3) In the course of farm slaughter activities.

(4) For lawful hunting in accordance with state and federal hunting laws, or responding to wildlife threatening human safety or causing property damage as provided by state law.

Section 2. Declaration of Emergency. The Kitsap County Board of Commissioners hereby declares, for the public interest, safety and welfare reasons set forth above, that an emergency exists necessitating that this ordinance be amended immediately. The recitals set forth above shall serve as the Board's findings for this Ordinance. The Board shall hold a hearing pertaining solely to the amended provision within sixty (60) days of adopting this emergency ordinance.

Section 3. Typographical/Clerical Errors. Should any provision of this ordinance passed by the Board during its deliberations and/or action on the ordinance be inadvertently omitted from the final printed version of the ordinance, the explicit action of the Board as discussed and enacted shall prevail upon subsequent review and verification of the Board, and shall be corrected administratively.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance shall be according to the effective date set forth in Section 5 of Ordinance 515-2014.

ENACTED this ___ day of October, 2014.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**

CHARLOTTE GARRIDO, Chair

ROBERT GELDER, Commissioner

LINDA STREISSGUTH, Commissioner

ATTEST:

Dana Daniels, Clerk of the Board

APPROVED AS TO FORM:

Deputy Prosecuting Attorney