

## PSC Notes - County Range Ordinance Edition

October 1, 2014

After two years of meetings, conferences, phone-tag, public hearings, arguments, and a pretty fair amount of comedy we now have a revised Kitsap County Range Ordinance. It's up on our website and I suggest you read it, if only to see for yourself what it says and not rely on a reporter, a frantic busy-body or even those who try very hard to live a fact-free life.

Meantime, I want to give a few of my views on what we have and how we got here.

First, it should be clear to everyone what this is: it is a revision of an ordinance that has been in place for about twenty years. The county did not all of a sudden decide they needed an ordinance; they decided all of a sudden that they needed a new ordinance, a very different thing.

It is no secret the driving force for the revision was tangled up in the KRRC face-off with Kitsap Safe and Quiet and the subsequent lawsuit. It doesn't matter what we think about anybody's case or position here, what matters is that we got sucked into the whirlwind. PSC, KRRC, and BT&S all got pulled into the process because all of us were going to be, and now are, governed by the revised ordinance.

Which brings me to a point that has got lost in the breeze a time or two, especially by well-meaning shooters and gun owners: the ordinance is an invention of county governance, not an agreement among interested parties. The clubs had no veto, no ability to refuse to be a party to it. If we said 'we will not accept that' we had one recourse only and that was to go to court. We couldn't opt out or in any way stop the process. Given that reality, PSC's choice in the matter was to be a part of the process and with education, argument, letters, testimony, and meetings working toward getting the best ordinance we could get. More on this in a minute.

A second pain-point was the county's imposition of a permit, something that had never been in place before. Our (and mine too) first reaction to this was that it was overkill, not necessary and was something we should resist. In conference with our attorney, who has long experience with gun clubs and successfully defended a club facing similar issues to ours in Pierce county, convinced club leadership in no uncertain terms the only thing we could do to stop it was sue and in her opinion we would lose.

Every jurisdiction in western Washington has held if an ordinance is legal under the law then a permit is logically and legally allowed since that is the way to enforce the ordinance. Once convinced, we decided to spend our energy trying to get a livable permit instead of fighting the windmill. As a note, as our attorney told us she had never seen a suit opposing an ordinance succeed in our area but she would draw up the suit and represent us if we insisted. Ya gotta love lawyers.

Now back to the process. The citizen appointees on the committee were the key to getting the thing done as well as we did (decide for yourself if it's good or bad). They were open to discussion, debate, and new information. Some of it was slow going but none of the three ever closed their minds to information even when they didn't agree with a position we had taken. In fact, the last battle in the campaign was reconed and engaged by a citizen member. On the Sunday before the vote the member identified a number of recent additions to the ordinance that not been exposed to public comment. All of those additions were deleted before the vote and a couple of them frankly stunk. No gun-club representative saw the problem, it was all identified by a citizen member, so thanks to them.

Where do we stand now, you might ask. First we read the ordinance and get our arms around it as fast as possible. It is going to cost us some money in terms of baffles and berms but we don't have details yet. We're working on it. We will continue with our blue-sky action shooting sports with little to no change, as will the other club. The ordinance recognizes two such matches a month with a process of notification to shoot more. Our hours, calibers, and safety programs will all continue as they are. We will have some paperwork that is new to show the county we are complying but we knew that. All government runs on ex-trees.

One last thing, now that it is completed I have asked our attorney to review the ordinance with special attention to what legal-eagles call 'traps-for-the-unwary', that is those things that are in the fine print either by accident or purposefully that one might not see in a plane reading. I don't expect to hear back for another week; at long last the work isn't urgent. Important yes, urgent no.

Take a look at the thing. You are probably going to hear about it for a while as we figure it out, so know what's going on in your club. As always, comments are welcome.

Doug O'Connor  
President

The ordinance approved on September 22, 2014, No. 515-2014, can be found [here](#).