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ORDINANCE NO. 140, 1981

An Ordinance Regulating the Use of Firearms
in Certain Areas of Clallam County and Adopting
A New Chapter in the Clallam County Code

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 15.16

Firearms

Sections:

- 15.16.005 Declarations
- 15.16.010 Unlawful Shooting
- 15.16.020 Authorized Shooting
- 15.16.030 Penalty
- 15.16.040 Severability
- 15.16.050 Repealer
- 15.16.060 Effective Date

C.C.C. 15.16.005. Declarations. The population density has been increasing in certain areas of Clallam County and the use of firearms in populated areas is a menace to the health, safety and welfare of the citizens of Clallam County.

C.C.C. 15.16.010. Unlawful Shooting. It is unlawful to discharge, fire or shoot rifles, pistols or firearms of any type whatsoever, except as authorized in C.C.C. 15.16.020, on the following described property:

(1) the area north of Highway 101, and bounded on the west by the Elwha River, on the south by Highway 101, and on the east by Blyn at the Chicken Coop Road, north to Sequim Bay and bounded on the north by the Strait of Juan de Fuca.

(2) Beginning at a point three hundred (300) feet more or less north of the center of Section 33, Township 31 North, Range 7 West, Willamette Meridian; thence south through the center of Section 33 six hundred (600) feet more or less to the top of the bluff; thence in a northeasterly direction along the top of the bluff to one-sixteenth corner thirteen hundred thirty (1330) feet north of the quarter corner

between Sections 33 and 34, Township 31 North, Range 7 West, Willamette Meridian; thence east six hundred sixty (660) feet more or less; thence north fifteen hundred (1500) feet more or less to the south end of Elwha Dike; thence north along the east edge of the dike; thence north along the west bank of the Elwha River to the Strait of Juan de Fuca.

C.C.C. 15.16.020. Authorized Shooting. The discharging, firing, or shooting of rifles, pistols or fire arms will be allowed in the areas specified in C.C.C. 15.16.010 only under the following circumstances:

- (1) for the humane slaughter of live stock as provided in RCW 16.49 and 16.50.
- (2) for the lawful use of force as provided in RCW 9A.16.020.
- (3) for target shooting by property owners or lessees, or their licensees or invitees, while utilizing sufficient back stops in a safe manner such as to insure the safety of all the citizens of Clallam County.
- (4) the use of shotguns, for hunting purposes with either shot or ball.

C.C.C. 16.15.030. Penalty. Any person, firm or corporation violating any of the provisions of the chapter shall be deemed guilty of a misdemeanor and shall be subject on conviction to a fine of not more than two hundred and fifty dollars (\$250.00) or imprisonment for not more than thirty (30) days in the Clallam County Jail, or both, for each violation.

C.C.C. 16.15.040. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portion of this chapter; it being hereby expressly declared that this chapter and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more other sections, subsections, paragraphs, sentences, clauses or phrases be declared invalid or unconstitutional.

C.C.C. 15.16.050. Repealer. Ordinances No. 20, 1967, No. 23, 1967, No. 24, 1967, No. 47, 1973, and any former ordinances or amendments or portion thereof conflicting or inconsistent with the provisions of this chapter are hereby repealed. PROVIDED, that prosecution for any violation of these ordinances occurring prior to the effective date of this chapter provision shall not be affected or abated. PROVIDED FURTHER should any provision of this chapter also addressed in the ordinances repealed herein be declared invalid or unconstitutional, then the pertinent provisions of the former ordinances will be applicable and enforceable.

C.C.C. 15.16.060. Effective Date. This chapter will take effect ten (10) days after adoption.

ADOPTED THIS 8 DAY OF September, 1981.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dick Lotzgesell
Dick Lotzgesell, Chairman

Harry Lydiard
Harry Lydiard

Don Feeley
Don Feeley

ATTEST:

Karen Kirby
Clerk of the Board

By Sandra J. Cleland, Deputy
APPROVED AS TO FORM AND CONTENT:

Deputy Prosecuting Attorney

BEFORE THE BOARD OF CLALLAM COUNTY COMMISSIONERS, STATE OF WASHINGTON

In the Matter of:	X	
	X	
A Call for Hearing on	X	RESOLUTION NO. <u>272</u> , 1981
Ordinance Codifying Existing	X	
Firearm Ordinances	X	

The Board of Clallam County Commissioners finds that:

1. The Prosecuting Attorney's Office is currently in the process of placing in code form all ordinances adopted prior to 1977.
2. The use of firearms in Clallam County are in part regulated by county Ordinance Nos. 20-1967, No. 23-1967, No. 24-1967, and No. 47, 1973.
3. To avoid possible confusion, the Prosecuting Attorney's Office recommends that the ordinances be consolidated into one Firearm Ordinance and made a new chapter in the Clallam County Code.
4. The proposed ordinance, a true and correct copy of which is attached to this resolution, marked as "Exhibit A", and incorporated herein by this reference, should be considered by the Board for adoption.
5. The Clallam County Charter, Section 3.10, requires that a public hearing be held at least ten days after the introduction of a proposed ordinance.
6. Said Charter provision also requires "due notice" of the proposed ordinance. Publication of the full text of the proposed ordinance at least ten days after its introduction is "due notice".

IN CONSIDERATION OF THE ABOVE FINDINGS, IT IS HEREBY RESOLVED by the Board of Clallam County Commissioners:

- I. That a public hearing be held in the Commissioners' Meeting Room, Room 160, Clallam County Courthouse, on the 1 day of Sept, 1981, at 10:30 A.m., at which hearing the Board will consider the adoption of the proposed ordinance, a true and correct copy of which is attached to this resolution as "Exhibit A".
- II. That the full text of this resolution and attached ordinance be published one time at least ten days prior to the hearing.
- III. That the original resolution and ordinance are on file in the County Commissioners' Office, Clallam County Courthouse, 8:00 a.m. to 5:00 p.m., Monday through Friday, for public inspection.

PASSED AND ADOPTED this 18 day of August, 1981.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dick Lotzgesell
Dick Lotzgesell, Chairman

Harry L. Lyford
Harry L. Lyford

Don Feeley
Don Feeley

ATTEST:
Carol Stone
Clerk of the Board

by: Barbara L. Kirby
Deputy

RESOLUTION No. 272, 1981

Please publish Aug 21, 1981