



Kitsap County Board of Commissioners

Department: Fair & Parks
Staff Contact: Arvilla Ohlde
Title: Ordinance Amending KCC 10.12.080
Recommended Action: Adopt

Summary: In 1971, Kitsap County adopted regulations concerning its parks. Specifically, KCC 10.12.080 regulates the possession and use of weapons in County-owned parks. After the County's code provisions were adopted, a state law was enacted that restricts the County's authority to regulate the possession of firearms in places other than those expressly allowed under state law. RCW 9.41.300(2)(b) restricts the County's ability to regulate the possession of firearms in any public place other than county-operated stadiums and convention centers. Other, self-executing state statutes prohibit the possession of firearms in other public places, including, but not limited to, courts, jails, certain areas regulated by the state liquor board and certain outdoor music festivals. State statutes also restrict the possession of firearms by certain individuals. Kitsap County finds that there is a need to change its code provision to reflect the current state of the law regarding the possession of firearms in county park facilities. This amendment, however, does not affect other state statutes concerning firearm possession and use and does not restrict county staff or law enforcement personnel from enforcing other laws regarding firearm possession or discharge.

Attachments: Proposed Ordinance.

Fiscal Impact

Expenditure required for this specific action: n/a
Total cost including all related costs: n/a
Related Revenue: n/a
Cost Savings: n/a
Total Fiscal Impact: n/a
Source of Funds :

Fiscal Impact (DAS) Review:			
Departmental Coordination			
Department	Representative	Recommendation/Comments	
Prosecutor	Russell Hauge	Approve	
Sheriff	Steve Boyer	Approve	
Contract Information			
Contract Number	Date Original Contract or Amendment Approved	Amount of Original Contract or Amendment	Total Amount of Amended Contract

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners will hold a public hearing on **July 27, 2009, at the hour of 7:00 PM**, in its Chambers, County Administration Building, 619 Division Street, Port Orchard, Washington, to consider an **Ordinance** amending Kitsap County Code Chapter 10.12, relating to County parks, and further described as follows:

Section 1 amends Kitsap County Code Section 10.21.080 regarding the possession of firearms in county parks.

Section 2 provides that the amendment does not restrict Kitsap County from enforcing any other laws regarding the possession of firearms.

Section 3 includes a severability clause.

Section 4 establishes an immediate effective date for the ordinance amendment.

The full text of the ordinance will be sent upon request. Information regarding the Ordinance can be examined and/or copied at the Parks and Recreation Department office at 1200 Fairgrounds Road, Bremerton WA 98311 or the Kitsap County Commissioners office, located at 619 Division Street, Port Orchard, WA 98366. The Park and Recreation offices is open to the public Monday through Thursday, 9 a.m to 4 p.m and Fridays 9 am to 2 pm. The Commissioners' office is open to the public Monday through Thursday, 8 a.m. to 5 p.m. Contact Arvilla Ohlde for more information at 337-5350.

ALL THOSE INTERESTED are welcome to attend.

Opal Robertson, Clerk of the Board
Kitsap County Commissioners

NOTE: KITSAP COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY. INDIVIDUALS WHO REQUIRE ACCOMMODATIONS, SHOULD CONTACT THE COMMISSIONERS OFFICE AT (360) 337-4428 OF TDD (360) 337-7275 OR 1-800-816-2782. (PLEASE PROVIDE SEVEN BUSINESS DAYS NOTICE FOR INTERPRETER SERVICES).

Publication Date: _____, 2009
The Kitsap Newspaper Group

ORDINANCE AMENDING KITSAP COUNTY CODE 10.12.080

BE IT ORDAINED:

Section 1. Kitsap County Code Section 10.12.080, adopted by Ordinance 6-1971, is hereby amended as follows:

It is unlawful to shoot, fire or explode any firearm, firecracker, fireworks, torpedo or explosive of any kind ~~or to carry any firearm~~ or to shoot or fire any air gun, BB gun, bow and arrow or use any slingshot in any park, except the park director may authorize archery, slinging, fireworks and firing of small bore arms at designated times and places suitable for their use.

Section 2. This Ordinance shall in no way affect the County's authority to restrict the possession or use of firearms in accordance with state and federal law.

Section 3. Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall take effect immediately

DATED this _____ day of _____, 2009.

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

CHARLOTTE GARRIDO, Chair

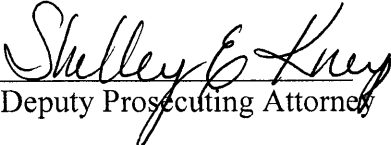
ATTEST:

STEVE BAUER, Commissioner

Opal Robertson
Clerk of the Board

JOSH BROWN, Commissioner

Approved as to form:


Deputy Prosecuting Attorney