

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2012-11

SUBJECT: Remove Prohibition on Possession of Firearms in City Parks

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 07/12/2012
- (X) Passed by the City Council: 07/18/2012
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 07/27/2012
- (X) Effective: 08/01/2012
- () Recorded: N/A

DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed by jb
- (X) Code Publishing
- () City Attorney
- () Civil Service Commission and/or Sec/Chief Examiner
- () Clerk's Department:
- () City Council
- () Finance:
- (X) Posted to Library Drive and Website

Jill A. Boltz
City Clerk

July 19, 2012
Date

ORDINANCE NO. 2012-11

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON AMENDING PMC 12.30.060 IN ORDER TO REMOVE THE PROHIBITION ON POSSESSION OF FIREARMS IN CITY PARKS.

WHEREAS, RCW 9.41.290 preempts a city's authority to enact local laws that prohibit possession of firearms on city-owned property, including parks, and

WHEREAS, the Mayor and City staff have recommended that PMC 12.30.060 be amended in order to remove the prohibition on possession of firearms in city parks and make the PMC consistent with RCW 9.41.290 and a 2008 interpretation of that statute by the Washington State Attorney General, 2008 AGO No. 8, and

WHEREAS, the Poulsbo City Council has considered the recommendation and has determined to amend the PMC as set forth hereafter, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Firearms in City Parks. PMC 12.30.060 is amended to read as follows:

12.30.060 Firearms and explosives.

It is unlawful to shoot, fire or explode any firearms, rockets, firewood, firecrackers, torpedo or explosive of any kind ~~or to carry any firearm~~ or to shoot or fire any air gun, bows and arrows, BB gun, or to use any slingshot or other propelling device wherein the applied human energy is artificially aided, directed or added to, in any park, except in recreational areas as may be designated for the activity in question by the public works director and/or law enforcement officials acting in an official capacity.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



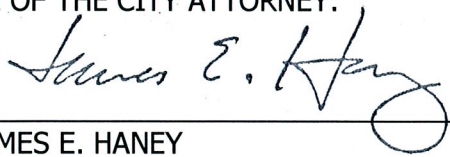
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK JILL A. BOLTZ, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

JAMES E. HANEY

FILED WITH THE CITY CLERK: 07/12/2012
PASSED BY THE CITY COUNCIL: 07/18/2012
PUBLISHED: 07/27/2012
EFFECTIVE DATE: 08/01/2012
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SUMMARY OF ORDINANCE NO. 2012-11

of the City of Poulsbo, Washington

On the 18th day of July, 2012, the City Council of the City of Poulsbo, passed Ordinance No. 2012-11. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING PMC 12.30.060 IN ORDER TO REMOVE THE PROHIBITION ON POSSESSION OF FIREARMS IN CITY PARKS.

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of July, 2012.


CITY CLERK JILL A. BOLTZ, CMC