ORDINANCE O-4686

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FIREARMS AND WEAPONS AND RESTRICTING THE DISCHARGE OF FIREARMS.

WHEREAS, the City of Kirkland ("City") is committed to helping keep Kirkland a safe, welcoming and inclusive city for all people; and

WHEREAS, as part of that effort the City is committed to helping foster safe and responsible firearms ownership and practices in Kirkland; and

WHEREAS, Kirkland is a growing city of almost 90,000 residents in an increasingly urban, built environment; and

WHEREAS, the City Council has concluded there are no longer any areas within Kirkland in which it is safe for individuals other than law enforcement officers in the line of duty or individuals in the defense of self or others to discharge firearms without creating a reasonable likelihood of putting humans, domestic animals or property in jeopardy; and

WHEREAS, RCW 9.41.300 authorizes cities to enact ordinances restricting the discharge of firearms in any portion of their jurisdiction where there is a reasonable likelihood that humans, domestic animals or property will be jeopardized, provided such ordinance does not abridge the right of the individual guaranteed by Article I, Section 24 of the Washington Constitution to bear arms in defense of self or others; and

WHEREAS, various cities have enacted such restrictions while creating exceptions for properly licensed rifle and pistol firing ranges and for the discharge of firearms by law enforcement officers engaged in the performance of their official powers or duties.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. A new Section 11.41.180 of the Kirkland Municipal Code is hereby created to read as follows:

11.41.180 Restricting the discharge of firearms.

Except for law enforcement officers in the performance of their official powers and duties and individuals in the lawful defense of self or others, it is unlawful to discharge any firearm in any portion of the city due to the reasonable likelihood that humans, domestic animals, or property will be jeopardized thereby; provided, however, the provisions of this section shall not apply to a rifle or pistol firing range which has been issued a business license by the city for such purpose. For all purposes under this title, the term "firearm" shall have that same meaning as set forth in RCW 9.41.010(11) and as such statute may hereafter be amended.
Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of May, 2019.

Signed in authentication thereof this 7th day of May, 2019.

Penny Sweet, Mayor

Publication Date: May 13, 2019

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney