

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE 1426

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) SECTION 9.20.110 ENTITLED "DISCHARGE OF FIREARMS" ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City finds that exceptions to the general prohibition of firearm discharge within the City warrant clarification and that certain types of limited firearm discharge should be permissible;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. SMC Section 9.20.110 "Discharge of firearms" is hereby amended to read as follows:

9.20.110 Discharge of firearms.

All persons ~~(except police or other law enforcement officers in the course of duty)~~ who shall ignite or discharge any explosive device or firearm of any kind, ~~except in the lawful defense of their person or property~~ shall be disorderly persons, except that this subsection shall not apply:

(1) To police officers while in the discharge of their lawful duties or for persons exercising the right specified in RCW 9A.16.020;

(2) To persons continuing with best farm management practices currently in existence, including, but not limited to, the slaughtering or humane destruction of livestock or wildlife, or the hazing of wildlife or wildfowl in conformance with the requirements of the Washington State Fish and Game Department or its successors, the U.S. Department of Agriculture, and the United States Wildlife Service;

(3) To persons discharging firearms loaded with blank cartridges for signal or ceremonial purposes in any athletic or sports event, recognized public event, any public ceremonial functions such as military funeral salutes, or by any memorial or military organizations or service groups for ceremonial purposes.

(4) To persons lawfully discharging fireworks under SMC Chapter 5.04.

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, such 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 days after its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 11th day of August, 2016.

CITY OF STANWOOD

By Leonard Kelley
Leonard Kelley, Mayor

ATTEST:

By Jan Berg Jan Berg
Jan Berg, City Clerk

Approved as to form:

By Grant K. Weed
Grant K. Weed, City Attorney

Date of Publication August 16, 2016

Effective Date August 22, 2016