

Ordinance No. 634

Amending the Forks Municipal Code regarding
Exemptions to Firearm Restrictions to Allow the Discharge of Firearms
when authorized by the Washington State Department of Fish and Wildlife

WHEREAS, the City's Municipal Code (Code) has specific prohibitions on the discharging of firearms, which has been interpreted to include bows, within the City's limits;

WHEREAS, the Code has exceptions to the prohibitions noted above, but none of those exceptions permits the use of firearms when the individual is acting pursuant to the authority of the Washington State Department of Fish and Wildlife (Department);

WHEREAS, the Department is required to manage wildlife to protect private property from extensive damage, as well as protect;

BASED THEREON, THE CITY COUNCIL OF THE CITY OF FORKS DO ORDAIN AS FOLLOWS:

Section 1. Amending an incorrect reference and adding a new exemption to FMC 9.05.250 - Weapons and Dangerous Exhibitions. The following portion of the FMC 9.05.250 is amended to correct an incorrect reference and a new exemption is added to FMC 9.05.250 with the new language identified by being underlined.

(7) Exemptions to Prohibitions Herein.

- (a) No person in the city of Forks shall fire off or discharge any gun, pistol or firearm of any kind within the city limits of Forks, unless permitted to do so pursuant to the exemptions found within subsection (7)(b) of this section.
- (b) The following exemptions shall apply to the prohibitions found within subsections (1), (3), (5), and ~~(7)~~ (6) of this section with regard to
 - (i) Officers engaged in the lawful discharge of their duties;
 - (ii) Individuals participating in honor guards and/or military-related gun salutes;
 - (iii) Individuals practicing target shooting in a duly licensed shooting gallery;
 - (iv) Individuals participating in a duly authorized and licensed business engaged in the operation of paintball games operating in a manner in which the discharge of paintball guns occurs in a controlled environment;
 - (v) Individuals participating in a recognized hunter safety education course being taught by a duly recognized/appointed hunter safety education instructor;

(vi) Individuals discharging firearms in areas designated by ordinance of the city council for such activities;

(vii) Individuals participating in authorized activities in an authorized area, pursuant to FMC [9.15.020](#), for a specific purpose not dangerous or harmful to individuals; and,

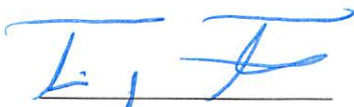
(viii) Individuals discharging firearms, including bows and crossbows, if done under the supervision, control and/or specific or special permit from the Washington Department of Fish and Wildlife and the individual has provided written notice to the Forks Police Department at least 24 hours prior to such action. No such notice will be required to address an emergency situation that could result in immediate harm to human life or that a delay could perpetuate the suffering of an individual wild animal.

Section 2. Adding a new exemption to FMC 9.15.020 – Weapons and Dangerous Exhibitions. The following new exemption is added to FMC 9.15.020 with the new language identified by being underlined.

(7) Wildlife management activities. Individuals discharging firearms, including bows and crossbows, if done under the supervision, control and/or specific or special permit from the Washington Department of Fish and Wildlife and the individual has provided written notice to the Forks Police Department at least 24 hours prior to such action. No such notice will be required to address an emergency situation that could result in immediate harm to human life or that a delay could perpetuate the suffering of an individual wild animal.

Section 2. Effective Date. This ordinance shall take effect five days after it has been published within the City's journal of record as provided for by law.

Passed by the City Council on the 12th day of March, 2018.



Tim Fletcher, Mayor

Authenticated and Attested to:

Approved as to Form:



Audrey Grafstrom
Clerk/Treasurer



William R. Fleck
Attorney/Planner