



## JEFFERSON COUNTY

### PLANNING COMMISSION

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#### MEMORANDUM

**TO:** Board of County Commissioners  
**FROM:** Planning Commission  
**DATE:** May 18, 2006  
**SUBJECT:** Review Criteria

The Planning Commission No Shooting Area Review Committee met on May 9, 2006, to discuss criteria for no shooting areas in Jefferson County. The meeting resulted in a criteria draft with sample language. That draft was considered by the full Planning Commission on May 17. Below is the revised draft formed by staff, the No shooting review committee and the Planning Commission for consideration by the Board of County Commissioners. The Planning Commission recommends the BoCC consider the draft as a starting point. They further recommend the BoCC form a Review Committee comprised of representative stakeholders, residents-at-large and county officials to consider no shooting areas, and potential criteria revision, in greater depth.

The review committee recommends maintaining 8.50.020, 8.50.030 and 8.50.050-8.50.070 as they are. Recommendations for 8.50.010 include adding preamble language that explains the justification for No shooting areas and references RCW 9.41.300 (2) (a) as the enabling state code.

The review committee suggests changing 8.50.040 to state that a No Shooting Area may come from three sources: citizen petition form registered voters, with a higher number of signatures required on petitions; a request by the County Commissioners; or a request from the County Sheriff. Once a No Shooting Area is proposed, the review committee suggests that the County Commissioners appoint a committee to review the merits of the specific proposal. The committee would consist of board of commission appointed stakeholders, representatives from the sheriff's office, county planning staff, and perhaps a member of the plan commission. The suggested model for this committee is Kitsap County Code 10.24.105.

An addition recommendation is *8.50.080 Exemptions* modeled after Clallam County Code 15.16.020. Language similar to CCC 15.16.020 (e) was discussed, but was not added. The Planning Commission felt similar language should be considered by the recommended review committee. The Planning Commission also recommends the review committee consider density in criteria discussions. The review committee felt the Planning Commission recommendations and the criteria should focus on the process of establishing a no shooting area in somewhat broad terms. The Planning Commission concluded on May 17<sup>th</sup> that more detail might be necessary and should be further reviewed.

Suggested "Community relation" information could be:  
[\*Jefferson County-No-Shooting Area Information\*](#)

*Jefferson County has refined the process to respond to requests for no-shooting areas, and County officials will use this process to identify the need for such areas. The County also recognizes that requests to limit shooting in some rural areas may best be resolved by solutions agreed-to within the community affected, without the need to establish a formal no-shooting area, and County officials will endeavor to facilitate such solutions.*

*Under the new process, a petition signed by at least twenty registered voters living within the area affected is required to initiate steps towards establishing a no-shooting area. An important additional step*

*has been added. Following the submission of a petition to the County Commissioners, the County will appoint a committee to study the matter. The committee will consist of representatives from the community affected on both sides of the question as well as representatives from the County's professional planning staff and Planning Commission. The appointed committee will study the matter, consider alternate solutions, if available, and submit their recommendation to the County Commissioners. Sample language for 8.50.010 and 8.50.040; and a draft of an 8.50.080 addition follow:*

### **8.50.010 Purpose and preamble**

The purpose of this chapter is to establish a process for the establishment of “no shooting” areas in unincorporated Jefferson County and to provide regulation of the discharge of firearms in such areas as provided in this chapter [Ord. 3-95§ 1]. The creation or dissolution of a no shooting area shall be considered where there is a reasonable likelihood that humans, domestic animals or property will be jeopardized. Counties may enact such laws in accordance with RCW 9.41.300 (2) (a). County officials shall endeavor to facilitate solutions within communities to resolve concerns leading to petitions for no shooting areas. Areas considered for creation or dissolution of a no shooting area shall be considered on an individual bases to adequately assess the motivation for the proposal and to resolve existing differences regarding an area. Creation of a no shooting area must be realistically enforceable in the area designated.

**8.50.020 Prohibited** (Unchanged).

**8.50.030 Firearms defined** (Unchanged).

### **8.50.040 Creation or dissolution of a no shooting area**

- (1) Petitions requesting the Jefferson County board of commissioners create a no shooting area or dissolve an existing no shooting area shall be filed with the clerk of the board of commissioners. Such petitions must be:
  - (a) A petition filed by residents. The petition shall contain the signatures of (%) percentage of elector-residents of each voting precinct in the area under consideration. A map and legal description of the area shall be included with these petitions.
  - (b) A request filed by the county sheriff. The request must be based on a definable threat to the public health, safety and general welfare.
  - (c) A request filed by the county commissioners. The request must be based on a definable threat to the public health, safety and general welfare.
- (2) After petition signatures, or request from the Sheriff or county commissioners, have been verified by the Jefferson County auditor-elections, the Jefferson County board of commissioners shall facilitate an amicable solution within the proposed area. If the board of commissioners finds the petition warrants consideration, the county commissioners shall:

- (a) Assign a review committee to consider the merit of the petition specific to the area under consideration. The review committee shall consist of:
    - (i) The county sheriff or his designee.
    - (ii) The director of the department of community development, or his designee.
    - (iii) Three residents-at-large to be appointed by the county commissioners.
    - (iv) Representative stakeholders from the petition area as determined by the county commissioners.
  - (b) The review committee shall consider, but are not limited to consideration of the location, terrain and surrounding land use of the petition area. The committee shall also consider any additional instructions given by the county commissioners at the assignment of the committee.
- (3) The county commissioners shall hold a public hearing on the review committee's recommendations soon after they are received by the commission. Legal notice of the hearing shall be published one time in the official newspaper of the county at least 10 days prior to the hearing.
- (a) If the county commissioners find the formation or dissolution of the petition area to be beneficial to the public health, safety and general welfare, the area shall be established as a no shooting area by ordinance. The board of commissioners shall consider, but are not limited to consideration of the review committee's recommendations, the location, terrain and surrounding land use of the petition area.

**8.50.050 Violations-Misdemeanors-Penalty-Arrest; 8.50.060 Enforcement Officers and Procedures; 8.50.070 Interpretation** (Unchanged).

### **8.50.080 Exemptions**

The designation of a no shooting area shall not exclude:

- (a) The use of firearms by citizens pursuant to RCW 16.08.020 regarding dogs, or other animals, endangering livestock.
- (b) The use of firearms to lawfully slaughter farm animals.
- (c) The lawful use of force by citizens, to include the lawful use of force by a security officer duly licensed by the state of Washington in the performance of their duties.
- (d) The lawful use of a firearm by a law enforcement officer in the performance of their duties.
- (e) The continued operation of legally established private or public gun club facilities or commercial shooting ranges which were established and operating prior to the enactment of the No Shooting Area or the development of indoor/underground ranges constructed in compliance with JCC 18.20.350 (8).