

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2009 - 251

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
<i>Originator:</i>	SC	5/19/2009		5/26/2009	Council
<i>Division Head:</i>					
<i>Dept. Head:</i>					
<i>Prosecutor:</i>					
<i>Purchasing/Budget:</i>					
<i>Executive:</i>					

TITLE OF DOCUMENT:

Resolution creating a no-shooting zone in the Columbia Valley area

ATTACHMENTS:

<i>SEPA review required?</i> () <i>Yes</i> () <i>NO</i>	<i>Should Clerk schedule a hearing?</i> () <i>Yes</i> () <i>NO</i>
<i>SEPA review completed?</i> () <i>Yes</i> () <i>NO</i>	<i>Requested Date:</i>

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Resolution creating a no-shooting zone in the Columbia Valley area

COMMITTEE ACTION:

COUNCIL ACTION:

5/26/2009: Council Approved 7-0
Res. 2009-034

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Res. 2009-034

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

RESOLUTION NO. 2009-034

ESTABLISHING THE INTENT OF THE WHATCOM COUNTY COUNCIL TO CONDUCT A HEARING IN CONSIDERATION OF CREATING A "NO SHOOTING ZONE" IN THE COLUMBIA VALLEY URBAN GROWTH AREA

WHEREAS, pursuant to the Whatcom County Code Chapter 9.32.010, a no shooting zone" is an area designated by the county council in which the discharge of firearms is prohibited; and

WHEREAS, the Whatcom County Council is elected to represent the concerns of the citizens of Whatcom County and is charged with the broad responsibility of protecting the health, safety and general welfare of the public; and

WHEREAS, pursuant to Whatcom County Code Chapter 9.32.020 and the Revised Code of Washington 36.32.120, the county council has the authority and power to establish no shooting zones; and

WHEREAS, pursuant to Whatcom County Code Chapter 9.32.050, the creation of a no shooting zone could result in the imposition of civil penalties; and

WHEREAS, the Revised Code of Washington 9.41.300 (2) specifically states that counties may enact laws and ordinances restricting the discharge of firearms in any portion of their respective jurisdiction where there is a reasonable likelihood that humans, domestic animals or property will be jeopardized; and

WHEREAS, the area of Whatcom County known as the "Columbia Valley Urban Growth Area" currently has a population of approximately 4,000 residents; and

WHEREAS, the population of the "Columbia Valley Urban Growth Area" is projected by community planners to further increase in significant numbers; and

WHEREAS, a number of citizens residing in that area, along with County law enforcement, have requested this restriction on the discharge of firearms as a means to promote public safety and welfare; and

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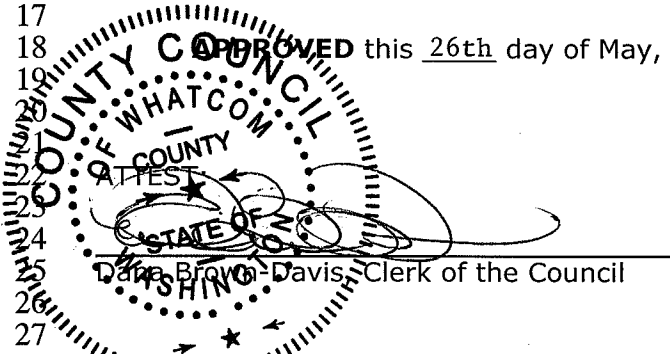
WHEREAS, twenty other such "no shooting zones" are already established throughout unincorporated Whatcom County in densely populated areas as a means to protect the public safety and welfare; and

WHEREAS, the Whatcom County Council hereby requests public comment on the proposed no shooting zone, including any and all County departments, before scheduling the matter for public hearing; and

WHEREAS, the Council cannot create the no shooting zone without first having a hearing on the proposal, and such hearing date is yet to be announced; and

NOW THEREFORE, BE IT RESOLVED by the Whatcom County Council that a hearing will be conducted to consider an amendment to Whatcom County Code 9.32 as indicated in Exhibit A to this resolution.

APPROVED this 26th day of May, 2009.



Dana Brown-Davis Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Seth Fleetwood
Seth Fleetwood, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Loren A. Fakes
Civil Deputy Prosecutor

Pete Kremen
Pete Kremen, County Executive

() Approved () Denied

Date Signed: 05-28-09

Exhibit A
(No Shooting Zone)

9.32.330 No shooting zone number 22 established

A. No shooting zone number 22 also known as the Columbia Valley Urban Growth Area.

B. The boundaries are described as follows:

This No Shooting Zone is intended to conform to the Columbia Valley UGA as designated at the time of adoption of this ordinance, and is comprised of portions of Sections 15, 16, 21, 22, 27 and 34, Township 40N, Range 5E, Whatcom County, Washington, more particularly described as follows:

The SE Quarter of the NW Quarter of said Section 15;
AND the SW Quarter of the NE Quarter of said Section 15;
AND the SW Quarter of said Section 15;

AND portions of the SE Quarter of said Section 16, Further described as: All that portion of the Northeast Quarter of the Southeast Quarter of said section 16 lying easterly of Kendall road Except Windon Acres Short Plat as recorded under Whatcom County Auditor File Number 950627037

AND All of the Southeast Quarter of the Southeast Quarter Except that portion lying Westerly of Camper's Paradise No. 3 as recorded under Vol 13 Page 52 of Plats

AND portions of the E Half of said Section 21, further described as follows:

The East one half of the Northeast quarter of said section Except all that portion lying Westerly of Camper's Paradise and Camper Paradise No. 2 as recorded under Whatcom County Auditor File Numbers 1140979 and 1160898, respectively

AND the East half of the Southeast Quarter of said Section 21

AND all those portions of said Section 22 described as follows;

The West Half of said Section 22;

AND the West Half of the NE Quarter of said Section 22;

AND the West Half of the SE Quarter of said Section 22;

AND the West Half of the NE Quarter of the SE Quarter of said Section 22;

AND a portion of the SE Quarter of the SE Quarter of said Section 22, containing all of the lands lying Westerly of a line described as follows:

(From Whatcom County Auditor File No. 1529730, a Record of Survey, wherein the following courses and distances are derived:)

Beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of said Section 22; Thence South 89°12'47" West, a distance of 505.42 feet to the True Point of Beginning;

Thence South 00°20'44" West, a distance of 238.04 feet; Thence South 37°50'44" West, a distance of 1,396.06 feet to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 22.

AND all those portions of said Section 27, further described as follows;

The Northwest Quarter of said Section 27;

AND the W Half of the NE Quarter of said Section 27;

AND all of the SE Quarter of the NE Quarter of said Section 27 and all of the NE Quarter of the SE Quarter of said Section 27, Except that

portion lying Easterly Easterly of Paradise Lakes Div. 4 and Paradise Lakes Div. 5, as recorded in Volume 10, Pages 2 and 45 of Plats respectively.

AND the W Half of the SE Quarter of said Section 27;

AND the N Half of the SW Quarter of said Section 27, Except that portion lying South and West of a line described as follows:

(From Whatcom County Auditor File No. 1348095, a Record of Survey, wherein the following courses and distances are derived:)

Beginning at the West Section Corner of said Section 27; Thence South $01^{\circ}48'39''$ East, a distance of 674.83 feet to the True Point of Beginning; Thence North $88^{\circ}45'35''$ East, a distance of 1,488.21 feet; Thence South $01^{\circ}55'16''$ East, a distance of 668.00 feet to the South line of the North Half of the SW Corner of said Section 27.

AND the SE Quarter of the SW Quarter of said Section 27 lying Easterly of Kendall Creek

AND the N Half of the NE Quarter of said Section 34, lying Northerly of SR 542;

AND the SW Quarter of the NE Quarter of said Section 34, Except all of the lands lying Southerly of a line described as follows:

(From Whatcom County Auditor File No. 910726193, a Record of Survey, wherein the following courses and distances are derived:)

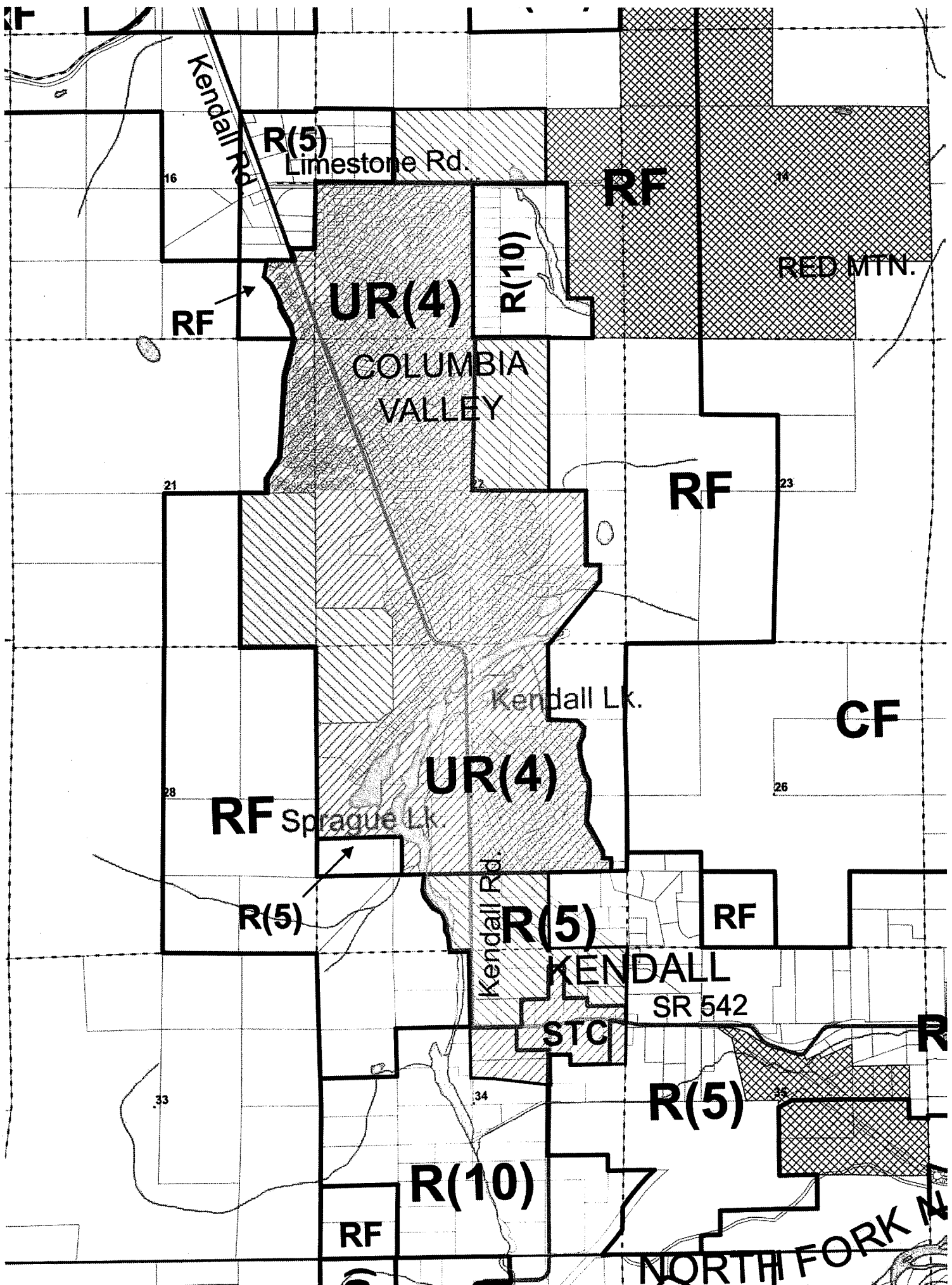
Beginning at the West Quarter Corner of said Section 34; Thence South $89^{\circ}36'35''$ East, a distance of 2,680.32 feet, Thence North $01^{\circ}16'54''$ East, a distance of 461.64 feet to the True Point of Beginning;

Thence South $89^{\circ}36'35''$ East, a distance of 400.00 feet; Thence South $81^{\circ}02'26''$ East, a distance of 883.71 feet;

Thence continuing on the same course as the previous bearing to the point of intersection with the East line of the Southwest Quarter of the Northeast Quarter of said Section 34.

AND all that portion of the SE Quarter of the NE Quarter and the Northeast Quarter of the Northeast Quarter lying Southerly of SR 542 of said Section 34, Except the South one Half of said Southeast of the Northeast quarter and Except the Southerly 163 feet of the Westerly 370 feet of the North one half of the Southeast Quarter of the Northeast Quarter of said Section 34.

Situate in Whatcom County, Washington.



Kendall Rd.

R(5)
Limestone Rd.

RF

RED MTN.

RF

UR(4)

R(10)

COLUMBIA
VALLEY

RF

Kendall Lk.

CF

UR(4)

RF Sprague Lk.

R(5)

Kendall Rd.

R(5)

RF

KENDALL
SR 542

STC

R(5)

R(10)

RF

NORTH FORK R.