



Whatcom County

COUNTY COURTHOUSE
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Agenda Bill Master Report

File Number: AB2021-186

| | | | | | |
|----------------------|--------------------------------|---------------------|--------------------------------------|----------------------|------------|
| File ID: | AB2021-186 | Version: | 1 | Status: | Adopted |
| File Created: | 03/16/2021 | Entered by: | DBrown@co.whatcom.wa.us | | |
| Department: | Council Office | File Type: | Ordinance Requiring a Public Hearing | | |
| Assigned to: | Council Committee of the Whole | | | Final Action: | 06/01/2021 |
| Agenda Date: | 06/01/2021 | Enactment #: | ORD 2021-034 | | |

Primary Contact Email: [Click here to enter text.](#)

TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Code 9.32, Unlawful Discharge of Firearms, to establish a no shooting zone to be known as the Dearborn No Shooting Zone

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

As requested through citizen petition, this ordinance would establish a no shooting zone in Whatcom County to be known as the Dearborn No Shooting Zone. The boundaries of the proposed zone are as follows: That portion of Section 7, Township 40 North, Range 1 East, W.M., Whatcom County, Washington described as beginning at the intersection of the south line of the Plat of Harbor Shores, as per the map thereof, recorded under Whatcom County Auditor's File No. 994985 with the west right of way margin of Blaine Road (Aka Sr 548); thence westerly along said south line of Harbor Shores to the intersection with the ordinary high water mark of Drayton Harbor; thence northerly along said ordinary high water mark to the intersection with the limits of the City Of Blaine, Whatcom County, Washington; thence easterly along said city limits to the intersection with said westerly right of way margin; thence southerly along said right of way margin to the point of beginning.

HISTORY OF LEGISLATIVE FILE

| Date: | Acting Body: | Action: | Sent To: |
|------------|--------------|--|----------|
| 05/04/2021 | Council | INTRODUCED FOR PUBLIC HEARING | Council |
| | | Aye: 4 Browne, Buchanan, Donovan, and Frazey | |

Nay: 2 Elenbaas, and Kershner
Absent: 1 Byrd

05/18/2021 Council

HEARD PUBLIC
TESTIMONY AND HELD IN
COUNCIL

Council Committee of the Whole

Aye: 6 Browne, Buchanan, Byrd, Donovan, Elenbaas, and Kershner
Nay: 1 Frazey
Absent: 0

06/01/2021 Council Committee of the Whole

RECOMMENDED FOR
ADOPTION

Aye: 5 Browne, Buchanan, Byrd, Donovan, and Frazey
Nay: 2 Elenbaas, and Kershner
Absent: 0

06/01/2021 Council

ADOPTED

Aye: 5 Browne, Buchanan, Byrd, Donovan, and Frazey
Nay: 1 Elenbaas
Absent: 1 Kershner

Attachments: Proposed Ordinance, Dearborn NSZ Department Comments, WDFW Drayton Harbor

ORDINANCE NO. 2021-034

AMENDING WHATCOM COUNTY CODE 9.32, UNLAWFUL DISCHARGE OF FIREARMS, TO ESTABLISH A NO SHOOTING ZONE TO BE KNOWN AS THE DEARBORN NO SHOOTING ZONE

WHEREAS, a citizen has petitioned the Whatcom County Council for the formation of a no shooting zone to be known as the Dearborn No Shooting Zone; and

WHEREAS, as required by Whatcom County Code 9.32, the citizen submitted the following to the Council: Signatures of at least sixty percent of persons owning property within the proposed boundaries of the zone; a legal description of the proposed boundaries of the no shooting zone; a map showing the proposed boundaries; cover letter explaining the reasons petitioner would like the zone to be formed; a history of shooting violations in the area; and the name, address, and phone number(s) of a person who will act as liaison with the county council concerning the proposed zone; and

WHEREAS, on November 6, 2019, the Council approved Resolution 2019-054, acknowledging receipt of the citizen petition and declaring its intent to conduct a public hearing to consider establishing a no shooting zone to be known as the Dearborn No Shooting Zone; and

WHEREAS, pursuant to Whatcom County Code 9.32.020 and RCW 36.32.120 the County Council has the authority and power to establish no shooting zones; and

WHEREAS, a “no shooting zone” is an area designated by the County Council in which the discharge of firearms is prohibited; and


WHEREAS, RCW 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, twenty three other “no shooting” zones have been established throughout Whatcom County as a means to protect the public.

NOW THEREFORE, BE IT ORDAINED by the Whatcom County Council that a new section of Whatcom County Code 9.32 shall be added to create a no-shooting zone to be known as the Dearborn No Shooting Zone, as outlined in Exhibit A to this ordinance.

ADOPTED this 1st day of June, 2021.

ATTEST:



Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON




Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Approved by Karen Frakes / LB

Civil Deputy Prosecutor

Approved () Denied



Satpal Sidhu, Executive

Date: 6/7/21

EXHIBIT A

DEARBORN - NO SHOOTING ZONE DESCRIPTION

THAT PORTION OF SECTION 7, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M., WHATCOM COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE PLAT OF HARBOR SHORES, AS PER THE MAP THEREOF, RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 994985 WITH THE WEST RIGHT OF WAY MARGIN OF BLAINE ROAD (AKA SR 548); THENCE WESTERLY ALONG SAID SOUTH LINE OF HARBOR SHORES TO THE INTERSECTION WITH THE ORDINARY HIGH WATER MARK OF DRAYTON HARBOR; THENCE NORTHERLY ALONG SAID ORDINARY HIGH WATER MARK TO THE INTERSECTION WITH THE LIMITS OF THE CITY OF BLAINE, WHATCOM COUNTY, WASHINGTON; THENCE EASTERLY ALONG SAID CITY LIMITS TO THE INTERSECTION WITH SAID WESTERLY RIGHT OF WAY MARGIN; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY MARGIN TO THE POINT OF BEGINNING.