



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010

## Agenda Bill Master Report

File Number: AB2019-431

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<b>File ID:</b>	AB2019-431	<b>Version:</b>	1	<b>Status:</b>	Approved
<b>File Created:</b>	07/31/2019	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Resolution		
<b>Assigned to:</b>	Council Public Works & Health Committee			<b>Final Action:</b>	08/07/2019
<b>Agenda Date:</b>	08/07/2019			<b>Enactment #:</b>	RES 2019-035

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Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution establishing the Council's intent to conduct a hearing on a proposal to create a no shooting zone in Drayton Harbor, as requested by the City of Blaine

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The City of Blaine has submitted a request to the Whatcom County Council to form a no shooting zone for all aquatic areas and tidelands within Drayton Harbor.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
08/07/2019	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL	
08/07/2019	Council	APPROVED	
	<b>Notes:</b>	Vote: 6-1, Byrd opposed, Resolution 2019-035	

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**Attachments:** Proposed Resolution for August 7, Agenda Bill Master Report

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**PROPOSED: CITY OF BLAINE**  
**INTRODUCTION: AUGUST 7, 2019**

**RESOLUTION NO. 2019-035**

**ESTABLISHING THE INTENT OF THE WHATCOM COUNTY COUNCIL TO CONDUCT A  
HEARING ON A PROPOSAL TO CREATE A NO SHOOTING ZONE IN DRAYTON HARBOR,  
AS REQUESTED BY THE CITY OF BLAINE**

**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 RCW 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**, 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**, on July 12, 2019, the Council received a resolution from the City of Blaine (Resolution No. 1765-19, see attached Exhibit A) requesting the Council form a no shooting zone for all aquatic areas and tidelands within Drayton Harbor; and

**WHEREAS**, twenty-two other no shooting zones have been established throughout Whatcom County as a means to protect public safety and welfare; and

**WHEREAS**, the Council cannot form a no shooting zone without first requesting review and comment from specific County departments and holding a public hearing on the proposal.

**NOW, THEREFORE, BE IT RESOLVED** that the Clerk of the Council will prepare a proposed ordinance to establish the requested no shooting zone and assign a number to the proposed zone.

**BE IT FURTHER RESOLVED** that the Clerk of the Council will seek review of the proposed ordinance by the Prosecutor's Office, Sheriff's Office, County Executive, Planning and Development Services Department, Public Works Department, and the Washington State Department of Wildlife.

1 **BE IT FINALLY RESOLVED** that the Clerk of the Council will schedule the proposed  
2 ordinance for introduction and public hearing by the Council, with notice of such hearing to be  
3 published in accordance with state and county law in the newspaper of general circulation  
4 within the county and the newspaper of general circulation within the proposed boundaries of  
5 the no shooting zone.  
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7 **APPROVED** this 7th day of August, 2019.

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11 ATTEST:

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14 Dana Brown-Davis, Clerk of the Council

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16 APPROVED AS TO FORM:

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18 \_\_\_\_\_  
19 Civil Deputy Prosecutor  
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WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Rud Browne, Council Chair

# EXHIBIT A

## RESOLUTION NO. 1765-19

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, TO SEEK DESIGNATION OF ALL UNINCORPORATED PORTIONS OF DRAYTON HARBOR AQUATIC AREA, TIDELANDS AND SHORELINE AS A NO SHOOTING ZONE PURSUANT TO WHATCOM COUNTY CODE 9.32 .**

**Whereas**, portions of the Drayton Harbor aquatic area, tidelands and shoreline are within the city limits, and

**Whereas**, portions of Drayton Harbor aquatic area, tidelands and shoreline are within Whatcom County jurisdiction, and

**Whereas**, hunting and the discharge of firearms is prohibited in the city limits, and

**Whereas**, it is difficult for members of the public to distinguish between incorporated and unincorporated areas particularly on the open water, which causes numerous hunters to inadvertently move into areas where hunting and discharge of firearms is illegal, and

**Whereas**, our citizens have expressed concerns about gunfire near homes and property and repeatedly call for police response to such incidents, and

**Whereas**, unincorporated portion of Drayton Harbor aquatic area, tidelands and shoreline are within and adjacent to urban growth areas, and

**Whereas**, population is expanding and housing density is increasing within the areas surrounding Drayton Harbor both within the City and an areas or unincorporated Whatcom County,

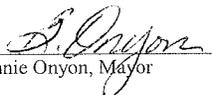
**Whereas**, the Revised Code of Washington (RCW 36.32.120) provides Whatcom County authority to designate no shooting zones, and

**Whereas**, Whatcom County Code Section 9.32 "Unlawful Discharge of Firearms" designates twenty-two no shooting zones, most lying within and adjacent to cities, urban growth areas and other locations of higher density development,

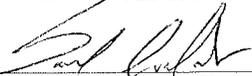
**Now therefore**, the City Council of the City of Blaine hereby resolves to seek designation of all the aquatic areas and tidelands within Drayton Harbor located within Whatcom County as a no shooting zone pursuant to Whatcom County Code Section 9.32.

**PASSED BY THE CITY COUNCIL OF BLAINE, WASHINGTON**, on the 8<sup>th</sup> day of July, 2019, and approved by the Mayor on the same day.

**CITY OF BLAINE, WASHINGTON**

  
\_\_\_\_\_  
Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:

  
\_\_\_\_\_  
Samuel Crawford, City Clerk

# CITY OF BLAINE-PROPOSED NO SHOOTING ZONE

(UNOFFICIAL MAP PREPARED BY PUBLIC WORKS, AT THE REQUEST OF THE CLERK OF THE COUNCIL)

