

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATED TO RESTRICTIONS ON THE POSSESSION OF WEAPONS IN CERTAIN LOCATIONS AND AMENDING OLYMPIA MUNICIPAL CODE SECTION 9.48.012

WHEREAS, ESHB 1630, Chapter 106, Laws of 2022 of the 67th Legislature, 2022 Regular Session, was passed by the House and Senate, and subsequently signed by Governor Jay Inslee and filed on March 23, 2022, with an effective date of June 9, 2022; and

WHEREAS, ESHB 1630 provided, among other amendments, that RCW 9.41.305 be amended to provide restrictions on additional locations where a person may knowingly open carry a firearm or other weapon, as defined in RCW 9.41.300(1)(b); and

WHEREAS, the open carry of a firearm or other weapon may be restricted in municipal buildings used in connection with meetings of the governing body of the city or municipality, or any location of a public meeting or hearing of the governing body of a city or other municipality during the hearing or meeting; and

WHEREAS, the term “governing body” has the same meaning as in RCW 42.30.020 of the Open Public Meetings Act (OPMA), which includes the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment; and

WHEREAS, following Governor Inslee’s signature approving ESHB 1630, and filing of same with the Secretary of State of the State of Washington, numerous mass shootings occurred across the United States, including but not limited to a racially motivated shooting in Buffalo, New York, that killed 10 people, and Uvalde, Texas, where 19 children and two teachers were killed. In both instances, the shooters were individuals armed and openly carrying AR-15 assault rifles. Over ten additional mass shootings continued across the United States over the Memorial Day weekend, resulting in numerous additional deaths and injuries in communities nationwide; and

WHEREAS, the Olympia City Council believes public safety and protection of Olympia’s democratic government requires the City to take all lawful measures to ensure safety of persons engaging in public meetings or hearings of the Olympia City Council and its multimember boards, commissions, or other policy or rule-making bodies of the City of Olympia, including the Olympia City Council, so persons may be protected from gun violence while participating in the democratic process;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 9.48.012. Olympia Municipal Code Section 9.48.012 is hereby amended to read as follows:

9.48.012 Possession of weapons – Where prohibited

A. It is unlawful for any person to enter any stadium or convention center operated by the city or other municipal corporation when the person knowingly possesses or knowingly has under the person’s control a weapon as defined in RCW 70.74.010 or listed in RCW 9.41.250 except that such restrictions shall not apply to (1) any pistol in the possession of a person licensed under RCW 9.41.070 or exempt from the licensing requirement by RCW 9.41.060; or (2) any showing, demonstration, or lecture involving the exhibition of firearms.

B. It is unlawful for any person to knowingly open carry a firearm or other weapon, as defined in RCW 9.41.300(1)(b), while knowingly being in Olympia City Hall, the Olympia Maintenance Center, or The

Olympia Center, or any other municipal building used in connection with meetings of the governing body of the City of Olympia during the hearing or meeting. For purposes of this section, "governing body" shall have the same meaning as in RCW 42.30.020, which includes the multimember board, commission, committee, council, or other policy or rule-making body of the City of Olympia, or any committee thereof when the committee, board, or commission acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

C. It shall be a defense to a violation of OMC 9.48.012(B) if the City of Olympia fails to post signs at areas of ingress and egress to municipal buildings that provide notice of the restrictions on possession and open carry of firearms and other weapons at locations specified in OMC 9.48.012(B).

D. Nothing in OMC 9.48.012(B) shall apply to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

E. Duly authorized federal, state, or local law enforcement officers or personnel are exempt from the restrictions in OMC 9.48.012(B) when carrying a firearm or other weapon in conformance with their employing agency's policy. Members of the armed forces of the United States or the state of Washington are exempt from OMC 9.48.012(B) when carrying a firearm or other weapon in the discharge of official duty or traveling to or from official duty.

F. A person violating OMC 9.48.012(B) is guilty of a misdemeanor. Second and subsequent violations of OMC 9.48.012(B) are a gross misdemeanor.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: