Ordinance No. 7461

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ENACTING OLYMPIA MUNICIPAL CODE (OMC) CHAPTER 12.75 PROHIBITING USE OF CITY OWNED OR CONTROLLED PROPERTY FOR CIVIL IMMIGRATION ENFORCEMENT ACTIVITIES OR OPERATIONS BY FEDERAL AGENTS; DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Olympia City Council recognizes the City of Olympia, a Washington municipal corporation organized under Title 35A RCW, owns or controls real property within the boundaries of the City of Olympia for the use and purpose of municipal business and operations, and that as a property owner, the City of Olympia may lawfully set limits, conditions, or restrictions on the use of its municipal property; and

WHEREAS, due to activities by federal agents of the Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP) agencies in the State of Minnesota, and specifically the cities of Minneapolis and St. Paul, which have directly resulted in the homicides of two citizens of the United States of American during immigration enforcement operations by ICE and CBP agents; and

WHEREAS, the Olympia City Council legislatively finds that it is reasonable and necessary to protect the health, safety, and welfare of Olympia residents from civil immigration enforcement operations conducted by ICE and CBP in American communities like Olympia; and

WHEREAS, the Olympia City Council further finds that as a property owner, the City of Olympia has the right to deny use of City owned or controlled properties to ICE or CBP for civil immigration enforcement operations without a judicial warrant issued by a judge or magistrate of a United States District Court that orders lawful entry into City owned or controlled properties and that all Olympia residents should be free from the fear or distress caused by civil immigration enforcement operations by federal ICE or CBP agents; and

WHEREAS, the Olympia City Council also legislatively finds that municipal real property owned or controlled by the City of Olympia should not be used without the permission or consent of the City of Olympia by agents of the federal government, including but not limited to agents of the Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP) agencies for civil immigration enforcement purposes, and that such a policy is a proper exercise of the City of Olympia's police power for the public safety, health, and general welfare of Olympia's residents and maintenance of business and good government; and

WHEREAS, the Olympia City Council further declares that an emergency exists to protect public safety, health, and welfare to prevent illegal use of City of Olympia municipal owned or controlled properties for federal civil immigration operations and activities;

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

Section 1. New Chapter OMC 12.75. Olympia Municipal Code Chapter 12.75 is enacted as follows:

Chapter 12.75

PROHIBITION AGAINST USE OF CITY OWNED OR CONTROLLED PROPERTIES FOR CIVIL IMMIGATION ENFORCEMENT

12.75.000 Chapter Contents

Sections:

12.75.010 Declaration of policy
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12.75.010 Declaration of policy

It is declared to be the policy of the City of Olympia in the exercise of its police power for the public safety, public health, and general welfare, and for the maintenance of business and good government, that the City of Olympia, a municipal corporation organized and existing under Title 35A RCW and the laws and constitution of the State of Washington hereby declares that as the owner or entity in control of municipal real property for the use and purpose of municipal business and operations that it has the general power to declare and lawfully set limits, conditions, or restrictions on the use of its municipal property.

12.75.020 Construction and election of other remedies

This chapter shall be liberally construed for the accomplishment of the purposes within and the policy set forth in this chapter. Nothing in this chapter shall modify, reduce, or limit any rights granted under state or federal law to the extent that distinction or differential treatment on the basis of citizenship or immigration status is authorized by federal or state law, regulation, or intergovernmental contract. Further, this chapter shall not be construed to limit or interfere in any law enforcement action taken pursuant to a judicial warrant issued by a federal or state judge, or pursuant to federal or state law.

12.75.030 Definitions

Definitions as used in this chapter, unless additional meaning clearly appears from the context, shall have the meanings ascribed herein:

A. "City" or "City of Olympia" shall mean the municipal corporation known as the City of Olympia, organized and existing under Title 35A RCW and the laws and constitution of the State of Washington, with all police powers for public safety, health, and general welfare of the residents and businesses of the City of Olympia.

B. "Civil immigration enforcement" shall mean any and all civil enforcement operations or activities conducted by any federal agency or law enforcement agency in the City of Olympia.

C. "Customs and Border Patrol" or "CBP" shall mean that federal law enforcement agency engaged in civil immigration operations or enforcement.

D. "Immigration and Customs Enforcement" or "ICE" shall mean that federal law enforcement agency engaged in civil immigration operations or enforcement.

E. "Judicial warrant" shall mean a warrant issued upon probable cause by a federal or state court judge that orders entry onto or entry of real property or any building or structure located thereon to lawfully search for property or evidence pursuant to the warrant.

F. "Municipal property" or "City owned or controlled properties" shall mean real property owned or controlled by the City of Olympia, whether or not the property has a structure. City Property includes any municipal buildings, garages, parking lots, parks, playgrounds, plazas, vacant lots, and storage facilities, but not including the public right-of-way used for pedestrian and vehicular traffic.

G. "Signs" or "signage" shall mean signs or signage installed by the City of Olympia to inform persons or federal law enforcement agencies or agents that the property is owned or controlled by the City of Olympia and that the property shall not be used for civil immigration enforcement operations to assemble, mobilize, stage, or deploy

federal personnel, vehicles, or equipment, or for surveillance or logistical coordination for civil immigration enforcement operations or activities.

12.75.040 Limitations on use of Municipal or City owned or controlled properties

A. Municipal or City owned or controlled properties shall not be used to assemble, mobilize, process persons, or deploy personnel, vehicles, or equipment for civil immigration enforcement purposes or operations, or for surveillance or logistical coordination for any such operations by ICE, CBP, or any federal law enforcement agency.

B. Any use of municipal or City owned or controlled properties shall be used only with the express permission, consent, or permit of the City of Olympia.

C. City departments shall ensure that where appropriate, and as City resources allow, physical barriers such as locked gates are used to limit access to City owned or controlled properties, or signage is installed stating "This property is owned or controlled by the City of Olympia. It shall not be used for civil immigration enforcement operations, including as a staging area, processing location, or operations or surveillance base."

D. Any City employee who becomes aware of the attempted or actual use of a City owned or controlled property being used as a staging area, processing location, operations base, or for surveillance purposes, or any other activity for the purpose of federal civil immigration enforcement operations shall immediately report the attempted or actual use to their department director or the office of the City Manager.

E. The City Manager or designee shall design a signage template for use by private property owners and leaseholders, including but not limited to businesses, nonprofit organizations, and faith institutions, who may use such signage if they choose that states: "This property is a Stand Together Olympia partner. No agent of the federal government, including Immigration and Customs Enforcement (ICE) or Customs and Border Patrol (CBP), may enter these premises for purposes of civil immigration enforcement, absent a valid judicial warrant or court order. This property may not be used for civil immigration enforcement operations, including as a staging area, processing location, surveillance operations, or operations base."

F. Property owners and leaseholders that use this signage do so at their own discretion and assume any legal risk associated therewith. The City of Olympia cannot prevent ICE or CBP or other federal agents from immigration enforcement activity on private property. Upon request, the City Manager will also make available to the public "know your rights" materials regarding entry by federal immigration enforcement officials onto privately owned or controlled property.

12.75.050 Exemptions

A. This chapter does not apply to property that is subject to an existing lease or concession agreement to which the City is a party. This chapter is not intended to, and shall not be interpreted to, interfere with any such lease or agreement.

B. Nothing in this chapter shall be construed as restricting or interfering with the execution of lawful judicial warrants, court orders, or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law.

12.75.060 Violations – Civil Enforcement – Remedies

A. Civil Action. Any violation of the provisions of this chapter may be enforced by the City of Olympia by means of a civil action for injunctive or declaratory relief in any court of competent jurisdiction, including but not limited to the Superior Court of Thurston County for the State of Washington or the United States District Court for the Western District of Washington.

B. Remedies Not Exclusive. The remedies available in this chapter are not exclusive and may be used cumulatively with any other remedies in this chapter, the Olympia Municipal Code, or state or federal law.

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. Declaration of Emergency and Effective Date. For the reasons set forth in the legislative recitals above, the Olympia City Council finds that a public emergency exists and in order to protect the public health, safety, property and general welfare of the residents of the City of Olympia, this Ordinance shall become effective immediately.

MAYOR

ATTEST:

Sean Krier

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY

PASSED: February 24, 2026

APPROVED: March 1, 2026

PUBLISHED: March 1, 2026