



## City Council

### Approval of an Ordinance Relating to Restrictions on the Possession of Weapons in Certain Locations and Amending Section 9.48.012 of the Olympia Municipal Code

**Agenda Date:** 7/12/2022  
**Agenda Item Number:** 4.P  
**File Number:**22-0604

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**Type:** ordinance **Version:** 2 **Status:** Passed

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#### **Title**

Approval of an Ordinance Relating to Restrictions on the Possession of Weapons in Certain Locations and Amending Section 9.48.012 of the Olympia Municipal Code

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Move to adopt on second reading an Ordinance Relating to Restrictions on the Possession of Weapons in Certain Locations and Amending Section 9.48.012 of the Olympia Municipal Code.

#### **Report**

##### **Issue:**

Whether to approve an Ordinance prohibiting the open carry of firearms in certain locations in Olympia City Hall, and other municipal buildings, used in connection with meetings of the governing body of the City of Olympia.

##### **Staff Contact:**

Mark Barber, City Attorney, 360.753.8223

##### **Presenter(s):**

Mark Barber, City Attorney

##### **Background and Analysis:**

Background and Analysis did not change from first to second reading.

On March 23, 2022, Governor Inslee signed ESHB 1630, Chapter 106, Laws of 2022 of the 67<sup>th</sup> Legislature, 2022 Regular Session, and filed same with the Secretary of State. Among other amendments, ESHB 1630 provided 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). ESHB 1630 became effective on June 9, 2022.

ESHB 1630 provided that the locations where the open carry of a firearm or other weapon may be restricted included municipal buildings used in connection with meetings of the governing body of the city or municipality, or location of a public meeting or hearing of the governing body of a city or other municipality during the hearing or meeting.

The term “governing body” as used in ESHB 1630 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.

If the ordinance is passed, the City of Olympia will be required to post signs at areas of ingress and egress to qualified municipal buildings to provide notice of the restrictions on possession and open carry of firearms and weapons. Failure to post notice of restricted locations shall be a defense to a violation of open carry of firearms and weapons. No restrictions apply to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

Duly authorized federal, state, or local law enforcement officers or personnel are exempt from the restrictions permitted by ESHB 1630 and in the amendment to OMC 9.48.012. The same is also true for members of the armed forces of the United States or the State of Washington in the discharge of official duty or traveling to or from official duty.

Violation of the ordinance, if adopted, is a misdemeanor. Second or subsequent violations are a gross misdemeanor.

**Neighborhood/Community Interests (if known):**

Public safety is of interest to the entire community.

**Options:**

1. Adopt on second reading the Ordinance Relating to Restrictions on the Possession of Weapons in Certain Locations and Amending OMC Section 9.48.012.
2. Direct staff to modify the ordinance based on Council feedback.
3. Do not take any action. This would result in no restrictions on the open carry of firearms in municipal buildings used in connection with meetings of the governing body of the City of Olympia during any hearing or meeting of the governing body including meetings, public hearings, or taking of public testimony or comment.

**Financial Impact:**

Unknown. However, it is believed the cost of preparing and posting notice signs of restriction on open carry of firearms and weapons is minimal in comparison to the risk to public safety.

**Attachments:**

Ordinance