

AN ORDINANCE REPEALING SECTION 2 OF ORDINANCE #1. AN ORDINANCE REGULATING THE USE OF FIREARMS, AIR GUNS, B.B. GUNS, EXPLOSIVES AND OTHER WEAPONS WITHIN THE TOWN LIMITS OF YACOLT, WASHINGTON.

WHEREAS: The Town Council of the Town of Yacolt, Washington is in Session this 1 day of December 1987 and:

WHEREAS: All members of the Town Council have had notice of the time, place, and purpose of said meeting: and

WHEREAS: The Town of Yacolt, Washington, Town Council finds that a prohibition of discharging and aiming fire arms and weapons, and other explosives, including Air Guns and B.B. Guns, is necessary to promote the public health, safety and welfare:

NOW THEREFORE: Be it ordained by the Town Council of the Town of Yacolt, Washington, as follows:

SECTION 1: It shall be unlawful for any person to aim any Gun, Pistol, Revolver, Air Gun or B.B. Gun or other firearm whether loaded or not, at or towards any human being, or to wilfully discharge any firearm, Air Gun, or any other weapon, or throw any deadly missile in a public place, or in any place where any person might be endangered thereby, whether any injury resulted or not: Except that this Section shall not apply to:

1. Police Officers while in the discharge of their lawful duties.
2. Persons practicing target shooting in a duly licensed shooting gallery or target range maintained and operated by an organized rifle or gun club.
3. Any person acting for the purpose of protecting himself against the use of presently threatened unlawful force by another, or the purpose of protecting another against the use of unlawful force by a third person.
4. Any person making or assisting in making a lawful arrest.
5. Any act committed by a person while in his place of abode or fixed place of business.

SECTION 11. It shall also be unlawful for any minor under the age of (16) sixteen to have in his possession or under his control, and Gun, Pistol, Revolver, Air Gun, B.B. Gun, or other firearm, except while accompanied by or under the immediate charge of his parents or guardian, or other adult approved by the parent or guardian, or while under the supervision of a certified safety instructor at an established gun range or firearm training class.

SECTION 111. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, be punished by a fine not to exceed one thousand dollars (\$1000.00) or by imprisonment in jail for a term not to exceed ninety (90) days, or by both fine and imprisonment.

SECTION 1V: Also upon the conviction of any person for violation of any of the provisions of this Ordinance, the Law Enforcemnt Agency shall confiscate the firearm or other weapon, or unlawful instrument, used or attempted to be used, fired, set off, or discharged in violation of this Ordinance, and dispose of them in the manner approved for the disposal of unclaimed property, unless such disposal is contary to law.

SECTION V: EFFECTIVE DATE: This Ordinance shall be in force, and take effect this 1 day of December 1987.

AYES Councilmembers: Jolma, Madison, Grooms, Alexander

NAYES None

ABSENT Councilmember Norton

MAYOR *Jim Worthington* ATTEST *Irene Christiansen*

I hereby certify that this is a true and correct copy of Ordinance #296 as read before the Council and passed on the date herein metioned and passed according to Law.

*Irene Christiansen*  
Irene Christiansen  
Clerk/Treasurer