

NO. 2023-0125

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON AMENDING SPOKANE COUNTY CODE CHAPTER 6.06 PERTAINING TO ESTABLISHMENT OF NO SHOOTING AREAS, NO BOW AND ARROW AREAS, AND NO SHOOTING AND NO BOW AND ARROW AREAS AND THE NO SHOOTING AREAS, NO BOW AND ARROW AREAS AND NO SHOOTING AND NO BOW AND ARROW AREAS ADVISORY COMMITTEE TO REFLECT THE EXPANSION OF THE BOARD OF COUNTY COMMISSIONERS FROM THREE TO FIVE MEMBERS

**RESOLUTION**

**WHEREAS**, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing; and

**WHEREAS**, pursuant to RCW 36.01.030, the powers of Spokane County can only be exercised through the Board of County Commissioners of Spokane County, Washington (“Board” or “Board of County Commissioners”); and

**WHEREAS**, pursuant to RCW 36.32.120(6), the Board has the care of County property and the management of County funds and business; and

**WHEREAS**, pursuant to RCW 9.41.300, Spokane County may restrict the discharge of firearms in any portion of the County where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized, subject to the right of the individual guaranteed by Article I, section 24 of the state Constitution to bear arms in defense of self or others; and

**WHEREAS**, pursuant to Spokane County Code chapter 6.06, the Board created the no shooting, no bow and arrow and no shooting and no bow and arrow areas advisory committee (“committee”); and

**WHEREAS**, the committee has the authority to advise, consult and cooperate with other agencies and departments of the state, other political subdivisions, industries, and with interested persons or groups; consult with any person or group of persons relative to the establishment, alteration or change of any no shooting area, no bow and arrow area, and no shooting and no bow and arrow area; and advise the Board as to the establishment or alteration of no shooting areas, no bow and arrow areas, and no shooting and no bow and arrow areas; and

**WHEREAS**, the present committee consists of two members from each of the former three county commissioner districts and one at large member; and

**WHEREAS**, the Board finds that the committee should be amended to reflect the five-district Board of County Commissioners with all committee members being appointed by the Board of County Commissioners.

**NOW THEREFORE BE IT ORDAINED** by the Board of County Commissioners of Spokane County, Washington that chapter 6.06 of the Spokane County Code be amended as provided in the attachment hereto.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of February, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON

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MARY L. KUNEY, CHAIR

ATTEST:

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JOSH KERNS, VICE-CHAIR

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Ginna Vasquez  
Clerk of the Board

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AL FRENCH, COMMISSIONER

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AMBER WALDREF, COMMISSIONER

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CHRIS JORDAN, COMMISSIONER

## **Chapter 6.06 NO SHOOTING AREA**

### **Sections:**

#### **6.06.010 Definitions.**

"Bow and arrow" means an instrument consisting of a curved, flexible strip of material strung taut from end to end (bow) used to launch a straight, thin shaft with a pointed head (arrow).

"Gun" means any shotgun, fowling piece, rifle, BB gun, air compression rifle, pellet gun, revolver, pistol, or other firearm which projects any bullet, shot, slug, pellet, BB, or any other missile or projectile of any nature.

"Restricted shooting" means a designation within a no shooting area or no shooting and no bow and arrow area wherein it is lawful to discharge a shotgun during hunting season as established by the appropriate Washington state agency.

(Res. 04-0831 (part), 2004; Res. 57-457 (part), 1957)

#### **6.06.020 No shooting areas, no bow and arrow areas, and no shooting and no bow and arrow areas established.**

All no shooting areas, no bow and arrow areas or no shooting and no bow and arrow areas established pursuant to this chapter shall be on file at the office of the board of county commissioners by legal description.

(Res. No. 2015-0480, 6-16-2015; Res. No. 2015-0479, 6-16-2015; Res. No. 2015-0478, 6-16-2015; Res. No. 12-0346, 5-8-12; Res. 07-0559, 2007; Res. 04-0831 (part), 2004; Res. 03-0948, 2003; Res. 00-1036, 2000; Res. 00-1035, 2000; Res. 93-1453, 1993; Res. 93-1430, 1993; Res. 86-459, Attachment A (part), 1986; Res. 86-379, Attachment A (part), 1987; Res. 84-0601, Attachment A, 1984; Res. 82-0401, §§ a, b, c, 1982; Res. 81-0052, §§ a, b, c, 1981; Res. 79-1332, 1979; Res. 78-364, 1978; Res. 77-460, 1977; Res. 65-377, 1965; Res. 63-311, 1963; Res. 62-307, 1962; Res. 57-457 (part), 1957)

#### **6.06.030 Prohibited acts.**

- (a) It is unlawful for any person to discharge a gun in any of the no shooting areas described in this chapter. Provided, however, it is not unlawful to discharge a shotgun in any no shooting area which has also been designated a restricted shooting area during hunting season as established by the appropriate Washington state agency.
- (b) It is unlawful for any person to shoot a bow and arrow in any of the no bow and arrow areas described in this chapter.
- (c) It is unlawful for any person to discharge a gun except as provided for in subsection (a) of this section or shoot a bow and arrow in any of the no shooting and no bow and arrow areas described in this chapter.

(Res. 04-0831 (part), 2004; Res. 57-457 (part), 1957)

#### **6.06.035 Exemptions.**

- (a) The following shall be exempt from the provisions of Section 6.06.030(a):
  - (1) Discharging a gun in the lawful protection of persons or property;
  - (2) Maintaining and operating rifle and pistol ranges so long as they are consistent and in compliance with applicable land use regulations, if a permit is obtained from the Spokane County sheriff;

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- (3) Small arms target practice by individuals, if a permit is obtained from the Spokane County sheriff;
  - (4) Discharge of guns to eliminate pests, if a permit is obtained from the Spokane County sheriff; and
  - (5) Discharge of guns equipped with blank cartridges, if a permit is obtained from the Spokane County sheriff.
- (b) The following shall be exempt from the provisions of Section 6.06.030(b):
- (1) Shooting a bow and arrow in the lawful protection of persons or property;
  - (2) Holding of special trap shoots, turkey shoots and similar shooting contests by duly organized clubs, organizations and associations, if a permit is obtained from the Spokane County sheriff; and
  - (3) Target practice by individuals on their own property, if a permit is obtained from the Spokane County sheriff.
- (c) All the activities described in subsections (a) and (b) of this section shall be exempt from the provisions of Section 6.06.030(c).
- (Res. 04-0831 (part), 2004)

#### **6.06.050 Establishment—Advisory committee on Spokane County no shooting areas, no bow and arrow areas and no shooting and no bow and arrow areas.**

There is created a Spokane County no shooting areas, no bow and arrow areas and no shooting and no bow and arrow areas committee consisting of seven members to be known as the no shooting, no bow and arrow and no shooting and no bow and arrow areas advisory committee.

(Res. 04-0995 (part), 2004: Res. 00-1088 (part), 2000: Res. 00-1010 Amendment No. 1, 2000: Res. 00-796, 2000: Res. 97-0158 Attachment A. 1997: Res. 79-0458 Attachment A (part), 1979: Res. 74-759 (part), 1974)

#### **6.06.060 Appointment.**

The board of county commissioners shall appoint all members to the advisory committee. The committee shall consist of seven members. Each member must be a resident of Spokane County.

(Res. 04-0995 (part), 2004: Res. 79-0458 Attachment A (part), 1979: Res. 74-759 (part), 1974)

#### **6.06.070 Term.**

The initial members of the advisory committee shall serve staggered terms, with one member serving a one-year term, two members serving two-year terms, two members serving three-year terms, and two members serving four-year terms. The length of the term for each individual member of the initial advisory committee shall be chosen by lot at the first meeting of the advisory committee and communicated to the clerk of the board of county commissioners. Thereafter, all members subsequently appointed to the advisory committee shall serve four-year terms.

(Res. 04-0995 (part), 2004: Res. 79-0458 Attachment A (part), 1979: Res. 74-759 (part), 1974)

#### **6.06.080 Vacancies.**

Vacancies occurring for any reason other than expiration of the term shall be filled by appointment by the board for the unexpired portion of the term.

(Res. 79-0458 Attachment A (part), 1979: Res. 74-759 (part), 1974)

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#### **6.06.090 Removal.**

Any appointee member of the committee may be removed by the board of county commissioners for inefficiency, neglect of duty, or malfeasance in office.

(Res. 74-759 (part), 1974)

#### **6.06.100 Officers.**

The committee shall elect yearly a chair and vice-chair from among the appointed members. The chairman shall preside over all meetings.

(Res. 74-759 (part), 1974)

#### **6.06.110 Advisory committee—Meetings—Rules and regulations.**

The advisory committee shall hold at least one regular meeting each year. Said meeting shall be held on the first Monday in May. Provided if no issues over which the committee has jurisdiction are pending upon its calendar, the meeting may be canceled. The advisory committee may adopt the rules for the transaction of business and shall keep a public record of all transactions, findings and determinations.

(Res. 74-759 (part), 1974)

#### **6.06.120 Compensation—Expenses.**

Members of the advisory committee shall serve without compensation and/or per diem; provided members of the advisory committee may receive reasonable travel expenses as determined by the board of county commissioners for travel to and from their usual places of business to the place of a regular or special meeting of the committee.

(Res. 74-759 (part), 1974)

#### **6.06.130 Powers and duties of activated advisory committee.**

The advisory committee in addition to any other powers hereto vested in them, shall have the power to:

- (1) Advise, consult and cooperate with other agencies and departments of the state, other political subdivisions, industries, and with interested persons or groups in carrying out the provisions of this chapter;
- (2) Consult, upon request, with any person or group of persons relative to the establishment, alteration or change of any no shooting area, no bow and arrow area, and no shooting and no bow and arrow area.

(Res. 04-0831 (part), 2004; Res. 00-1088 (part), 2000; Res. 001010 Amendment No. 2, 2000; Res. 74-759 (part), 1974)

#### **6.06.140 Petition—Requirements.**

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A petition for the establishment, alteration or change of any no shooting area, no bow and arrow area, and no shooting and no bow and arrow area shall be submitted to the advisory committee and contain the signatures of at least fifty percent of the property owners residing within that area to be established, altered or changed.

The application accompanying the petition for the establishment, alteration or change in a no shooting area , no bow and arrow area, or no shooting and no bow and arrow area must contain the following information:

- (1) The conditions which are alleged to be the basis of the establishment, alteration or change;
- (2) Facts to justify the establishment, alteration or change based on advancing the public health, safety and general welfare;
- (3) The effect on the property owners if the request is not granted;
- (4) A detailed map showing the proposed area and boundaries thereof to be included within the area to be established, altered or changed;
- (5) If applicable, a request for a designation of restricted shooting within a no shooting area; and
- (6) Such other information as the advisory committee requires.

(Res. 04-0831 (part), 2004: Res. 86-459 Attachment A (part), 1986; Res. 86-379 Attachment A (part), 1986: Res. 74-759 (part), 1974)

#### **6.06.150 Establishment, alteration or change in no shooting area, no bow and arrow area, or no shooting and no bow and arrow area board final authority.**

The establishment, alteration or change in a no shooting area, no bow and arrow area, or no shooting and no bow and arrow area may be initiated in any of the following ways:

- (1) By resolution of the board of county commissioners directed to the advisory committee;
- (2) Upon motion of the advisory committee;
- (3) Upon receipt by the advisory committee of petition as provided for in Section 6.06.140;
- (4) Approval by the advisory committee of a written request setting forth the good faith showing of an inability of the owner or owners of property or properties to obtain the necessary signatures for the establishment, alteration or change of a no bow and arrow area, or no shooting and no bow and arrow area.

Upon the initiation of a no shooting area, no bow and arrow area, or no shooting and no bow and arrow area, the advisory committee shall set a date for a public hearing. The clerk of the board shall published notice of the date, time and place of the public hearing in the county's official newspaper at least ten days prior to the hearing. Additionally, the county public works director shall give ten days' written notice of the date, time, and place of the public hearing to all property owners and taxpayers, if different than property owners, who own properties within the area proposed for establishment, alteration or change. The notification mailed to the property owners shall contain a map depicting the area under consideration.

At the conclusion of the public hearing, the advisory committee shall make a written recommendation to the board of county commissioners to approve, deny or modify the matter which was the subject of the public hearing. Provided, however, no modification shall include property which was not originally within the advertised legal notice. The recommendation of the advisory committee shall include reasons therefore and be transmitted to the board of county commissioner no later than fourteen calendar days after the conclusion of the public hearing. Upon receipt of the advisory committee's recommendation, the board of county commissioners shall at its next regular meeting either (1) accept the recommendation, (2) reject the recommendation, or (3) set a public hearing. If the board of commissioners sets a public hearing, notice of such hearing shall be provided in the same manner as the hearing before the advisory committee. At the conclusion of the public hearing the board of county commissioners may adopt the recommendation of the advisory committee, reject the recommendation of the

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advisory committee, or modify the recommendation of the advisory committee. The board of county commissioners shall enter findings of fact supporting its decision.

(Res. No. 16-0288, 4-19-2016; Res. 04-0831 (part), 2004; Res. 04-0345, 2004; Res. 00-1088 (part), 2000; Res. 00-1010 Amendment No. 3, 2000; Res. 74-759 (part), 1974)

#### **6.06.160 Permit application for exempt actions.**

Application for permits as provided for in Section 6.06.035 shall be in writing and filled with the Spokane County sheriff. Such application shall be filed no less than fourteen calendar days before the activity for which the permit is being requested unless a shorter time is approved at the sole discretion of the Spokane County sheriff. Such application shall contain the following information:

- (1) Name, date of birth, social security number, address, phone number of person or other legal entity on behalf of whom such application is made;
- (2) Name of the activity within Section 6.06.035 for which the permit is being requested;
- (3) Map depicting location of property on which activity will take place in relationship to other surrounding properties;
- (4) The date, time and place of the activity;
- (5) Documentation from Spokane County building and planning department confirming that activity for which a permit is being requested is allowed on property; and
- (6) Such other information as the Spokane County sheriff shall determine is necessary to properly consider an application.

Within seven calendar days after the filing of the application, the Spokane County sheriff shall either approve, approve with conditions, or deny the permit. Any conditions imposed on a permit shall relate to public health, safety or welfare. Any denial shall set forth in detail the specific grounds therefore.

Any applicant aggrieved by any condition of approval or denial of the permit application shall file a written appeal with the clerk of the board of county commissioners within five calendar days after the Spokane County sheriff's action. The board, upon receipt of such appeal, shall set a date for a public meeting to consider such appeal which shall not be more than seven days after receipt of such appeal. At said public meeting, the board of county commissioners, after considering all evidence, may affirm, repeal or modify the action of the Spokane County sheriff. The applicant and sheriff shall be provided notice of the public meeting and may submit any written documents for the board of county commissioners' consideration.

(Res. No. 16-0288, 4-19-2016; Res. 04-0831 (part), 2004)