ORDINANCE 2012-16

AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL RELATING TO CIVIL EMERGENCIES, AMENDING EMC 2.60.040, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council enacted Ordinance 70-6 in 1970, and created chapter 2.60 of the Eatonville Municipal Code, which vested the Mayor with certain powers to declare civil emergencies and regulate conduct during such time;

WHEREAS, fifteen years after the Town Council passed Ordinance 70-6, the Washington State Legislature passed Engrossed Substitute Senate Bill No. 3450, codified as RCW 9.41.290, as amended, and expressly preempted the field of firearms regulation in the State of Washington, which functionally repealed subsections G and H of EMC 2.60.040, and

WHEREAS, the Town Council desires to clarify its code to be consistent with RCW 9.41.290, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Eatonville as follows:

Section 1. Section 4 of Ordinance 70-6, codified as EMC 2.60.040, is hereby amended to read as follows:

2.60.040 Emergency orders.

After proclamation of a civil emergency, the mayor may also, in the interest of public safety, health and welfare, make any or all of the following orders:

A. Order the closing of all retail liquor stores;

B. Order the closing of all beer taverns;

C. Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor and/or beer is permitted;

D. Order the discontinuance of the sale of beer;

E. Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;

F. Order the closing of gasoline stations and other establishments the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products;

~~G. Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever;~~

~~H. Order the closing of any or all establishments or portions thereof the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition;~~

~~I.~~G. Issue such other orders as are imminently necessary for the protection of life, health, safety and property of the residents of the town.

Section 2. This ordinance shall take effect one day after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

Passed by the Council of the Town of Eatonville at a regular meeting this __th day of _____, 2012.

1ST READING: 11/26/2012
2ND READING: 12/10/2012 / 2ND READING WAIVED (EMC 2.04.009(C))

_____
Raymond Harper, Mayor

ATTEST:

_____
Kathy Linnemeyer, Town Clerk

APPROVED AS TO FORM:

_____
Daniel G. Lloyd, Town Attorney