

ORDINANCE NO. 23-1677

**AN ORDINANCE OF THE CITY OF LYNDEN AMENDING LYNDEN
MUNICIPAL CODE CHAPTER 9.30**

WHEREAS, the City of Lynden (“City”) last addressed firearm control in 2002, at which time the City did not adopt provisions relating to the concealed carry of pistols;

WHEREAS, the City desires to amend the Lynden Municipal Code to incorporate by reference firearm regulations related to concealed pistols and their presence in vehicles;

WHEREAS, the City believes adopting these provisions to update the City’s code will add clarity and reflect the present state of the law while promoting the health, safety, and wellness of the community;

WHEREAS, this ordinance is declared to be an exercise of the police power of the City of Lynden, and its provisions shall be liberally construed for the preservation and protection of the natural environment, public peace, safety and welfare of its citizens; and

WHEREAS, the foregoing recitals are material findings and declarations of the Lynden City Council;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Lynden, as follows:

Section 1: Lynden Municipal Code Section 9.30.005 is hereby amended as follows:

9.30.005 - Adoption by reference.

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9.91.160 Personal protection spray device.
- RCW 9.41.050 Carrying firearms.
- RCW 9.41.230 Aiming or discharging firearms or dangerous weapons.
- RCW 9.41.250 Dangerous weapons—Penalty.
- RCW 9.41.270 Weapons apparently capable of producing bodily harm—Unlawful carrying or handling Penalty—Exceptions.
- RCW 9.41.280 Dangerous weapon on school facilities—Penalty—Exceptions.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 3. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect five (5) days after its passage, approval and publication as provided by law.

**PASSED BY THE LYNDEN CITY COUNCIL THIS 6TH DAY OF NOVEMBER, 2023
BY A VOTE OF ___ IN FAVOR AND ___ AGAINST, AND SIGNED BY THE MAYOR
THIS ___ DAY OF _____ 2023.**

SCOTT KORTHUIS, MAYOR

ATTEST:

Pamela D. Brown, CITY CLERK

APPROVED AS TO FORM:

Robert A. Carmichael, CITY ATTORNEY