

## 46. PROHIBITION AGAINST POSSESSING FIREARMS AND ARCHERY EQUIPMENT IN PUBLIC PLACES

### 46.1 PURPOSE

46.1.1 Oregon Statutes provide that a public body may restrict the possession of firearms in public places (ORS 166.245). The county intends by this ordinance to prohibit the possession of any firearm or archery equipment within County Parks and certain other County owned real property commonly referred to as Sunset Beach and to provide penalties for violation thereof. (Ordinance 94-9, Sec. 2)

### 46.2 DEFINITIONS

46.2.1 Archery Equipment means bows or crossbows and arrows used or capable of being used for the hunting of wild animals.

46.2.2 County Parks means such real property designated by the County governing body as a County Park pursuant to ORS 275.320 and following.

46.2.3 "Firearm" means a weapon, by whatever name known, which is designed to expel a projectile by the action of power and which is readily capable of use as a weapon.

46.2.4 "Peace Officer" means a sheriff, constable, marshall, municipal police officer, member of the Oregon State Police or investigator of the Criminal Justice Division of the Department of Justice and such other persons as may be designated by law.

46.2.5 "Possess" means to have physical possession or otherwise to exercise dominion or control over property.

46.2.6 Public Place" means a place to which the general public has access and includes, but is not limited to, hallways, lobbies and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and premises used in connection with public passenger transportation. (Ordinance 94-9, Sec. 3)

### 46.3 PROHIBITION

46.3.1 Except as provided in Section 46.4, no person may carry a firearm or archery equipment upon his person or in a vehicle under his control or in which he is an occupant while he is within a County Park or on the real property described in Section 46.6 , or while he is on any

public street or public place located within a County Park or the outer boundaries, when taken as a whole, of the real property described in Section 46.6. (Ordinance 94-9, Sec. 4)

#### 46.4 EXEMPTIONS

46.4.1 The provisions of this ordinance shall not apply to any peace officer or to any person possessing a weapon pursuant to a valid concealed handgun license issued by the State of Oregon or to any person when authorized by Oregon law to carry a weapon concealed, provided such weapon is being used and concealed as provided by applicable Oregon Law. (Ordinance 94-9, Sec. 5)

#### 46.5 FINES

46.5.1 Violation of any provisions of this ordinance shall be considered an infraction subjecting the person violating the ordinance to a fine not to exceed \$250 for each day of violation. Violators shall be cited using citations which conform to ORS 153.110 to 153.310 or as later amended. (Ordinance 94-9, Sec. 6)

#### 46.6 PROPERTY DESCRIPTION

##### SUNSET BEACH:

710 9 902

710 9 801

710 9CB Block 6, Lots 1-8

710 9CB Block 7, Lots 1-10

710 9CB Block 8, Lots 1-13

710 9CB Block 9, Lots 1-20

710 9CB Block 10, Lots 1-20

710 9CB Block 11, Lots 1-20

710 9CB Block 22, Lots 1-20

710 9CB Block 23, Lots 1-20

710 9CB Block 24, Lots 1-20

710 9CA Block 5, Lots 1-6

710 9CA Block 12, Lots 1-20

710 9CA Block 21, Lots 1-12 and 15-20

710 9CD Block 25, Lots 1-16

710 9CD Block 26, Lots 3-17

710 9CD Block 27, Lots 2-17

710 9CD Block 28, Lots 2-17

710 9CD Block 37, Lots 1-17

710 9CD Block 38, Lots 1-13

710 9CD Block 39, Lots 1-12

710 9CD Block 40, Lots 1-10

710 9CD Block 41, Lots 1 and 3-33  
710 9CD Block 42, Lots 1-14  
710 9CD Block 43, Lots 1-16  
710 9CD Block 44, Lots 1-16  
710 9CD Block 45, Lots 1-16  
710 9CD Block 52, Lots 1-4  
710 9CD Block 53, Lots 1-4  
710 9CD Block 54, Lots 1-4  
710 9CD Block 55, Lots 1-3

and all land lying west of Blocks 8, 9, 24, 25 and 41 Sunset Beach  
Subdivision except West of Lot 2, Block 41. (Ordinance 94-9, Exhibit A)