

ORDINANCE SERIAL NO. 97-53

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA ADOPTING CHAPTER 13.03, POSSESSION OF FIREARMS, IN THE WASILLA MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of general and permanent nature and shall become part of the Wasilla Municipal Code.

SECTION II. Purpose. To affirm the right, duty and responsibility of all willing and able bodied residents of the City of Wasilla to own and possess personal firearms.

SECTION III. Adoption. Chapter 13.03 is hereby adopted as follows:

CHAPTER 13.03

POSSESSION OF FIREARMS

SECTIONS:

<u>13.03.010</u>	<u>Definitions</u>
<u>13.03.020</u>	<u>Possession</u>
<u>13.03.030</u>	<u>Training and Safety</u>
<u>13.03.040</u>	<u>Funding</u>

13.03.010 Definitions. In this Chapter, "firearms" means any handgun, rifle, shotgun or similar weapon which is able to be legally owned and possessed under applicable Federal, State, and local law.

13.03.020 Possession. In accordance with the Constitution of the United States and the Constitution of the State of Alaska, it is the right, duty and responsibility of all willing and able bodied residents of the City of Wasilla to own and possess personal firearms.

13.03.030 Training and Safety.

A. The City of Wasilla Police Department shall operate and maintain a Firearms Training and Safety Program for the benefit of the residents of the City of Wasilla.

B. An individual not a resident of the City of Wasilla who is licensed to conduct business within the corporate limits may participate in the Firearms Training and Safety Program as though he/she is a resident of the City.

C. All persons covered by this Chapter shall be strongly encouraged to participate in the Firearms Training and Safety Program.

Section 13.03.040 Funding.

A. The Firearms Training and Safety Program shall be funded by the City of Wasilla.

B. There shall be no charge to the participants of the Firearms Training and Safety Program.

Section IV. Severability. That 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 or constitutionality of the remaining portions of this ordinance. The City of Wasilla hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases declared unconstitutional.

Section V. Effective Date. This ordinance becomes effective upon adoption.

ADOPTED by the Council of the City of Wasilla on this ____ day of _____, 1997.

Submitted By:

Approved By:

Marjorie D. Harris, CMC
City Clerk

Sarah H. Palin, Mayor

(seal)

NO ACTION
TAKEN

interoffice

WASILLA P.D.
MEMORANDUM

to: Council Members
from: Chief Charlie Fannon
subject: Firearms
date: August 19, 1997
IM 97-49

RE: Ordinance Serial N. 97-53

This ordinance gives the impression that it mandates the possession or ownership of firearms. This may not be the intent of Mrs. Langill. Her concern, as I understand it, is that if people are going to exercise the right to possess and bear arms, then they should have to do so safely. She further felt that the City of WASILLA should insure firearms safety by offering the public the benefit of the police department's firearms instructors and range masters.

With the above thoughts in mind, I think that this would cost quite a bit of money. How much money depends on how in-depth the training would be. If the public were to be given the same amount of training as a police officer, then I think that this concept would require two full time personnel and tens of thousands of dollars. On the other hand, one could opt for a public relations campaign that called for an officer to go throughout the community doing safety talks at schools, scout meetings, church groups, etc. This could bring the cost down to about a half time position if it were used sparingly. This would mean no hands on training, but would save a small fortune in ammunition costs.

Some other concerns are such things as the liability the city might incur if they did get involved in giving the public training. I also note that the State of Alaska requires people to pay for the training and costs of a concealed weapons permit. A lot of people are going to ask why the City of Wasilla is willing to pay for the public to be trained while the State of Alaska is not. Personally, I think that whenever possible, we should try and keep city ordinances aligned with state statues and policy. This just makes things easier for the public to understand.

I'm sure that as the public and the council discuss this ordinance, many other issues, questions and concerns will arise. I think that this type of debate could be healthy for our community as long as the outcome is the will of the people. In closing, I should note that in my opinion this ordinance needs to be rewritten to better express its intent. In its present form, I think it sends the wrong message.

ORDINANCE SERIAL NO. 97-53

Subject: **Amending the Wasilla Municipal Code by adding another Chapter, 13.03, Possession of Firearms**

Meeting Date: **08/11/97**

RECOMMENDATION AND MOTION:
Introduce Ordinance Serial No. 97-53 and schedule for public hearing at the next regular meeting on 08/25/97

Administration Recommendation:

Reviewed by Sarah H. Palin, Mayor: *SPalini*

Route To:	Department:	Approval (Initials):	Remarks:
1	Clerk's Office		
2	Finance		
3	Library		
4	Museum		
5	Planning		
6 ✓	Police		<i>Will address in a memo to Councilwoman Langill</i>
7	Public Works		
8 ✓	Admin.		<i>Rec'd. too late to study this ord.</i>
9	City Attorney		

Attachment (s): Fiscal Note: YES _____ NO X
(List other attachments; i.e., maps, bid information, etc.)

Staff Recommendation: **Introduce Ordinance Serial No. 97-53 and schedule for public hearing at the next regular meeting on 08/25/97**

Summary Statement:

To add another chapter to the Wasilla Municipal Code, which outlines the possession of firearms within the City of Wasilla.