

Bond Case Briefs

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Kitsap County v. Kitsap Rifle and Revolver Club

Court of Appeals of Washington, Division 2 - November 21, 2017 - P.3d - 2017 WL 5587739

County filed complaint for declaratory and injunctive relief against shooting club, seeking declaration that its ordinance requiring club to obtain an operating permit was valid.

County moved for summary judgment. The Superior Court granted the motion. Club appealed.

The Court of Appeals held that:

- County ordinance requiring shooting facilities to obtain an operating permit was not a “firearms regulation,” and therefore, was not preempted by state law;
- Even if ordinance was a “firearms regulation,” preemption did not apply under statutory exception for ordinances restricting the discharge of firearms in areas where people, domestic animals, or property would be endangered;
- Ordinance did not place a substantial burden on Second Amendment rights, and therefore, court would apply intermediate scrutiny;
- Ordinance satisfied intermediate scrutiny and thus did not violate Second Amendment; and
- Ordinance was a reasonable regulation that did not violate state constitution’s right to bear arms.