

ORDINANCE NO. 4084

AN ORDINANCE RELATING TO FIREARMS
AND AMENDING CHAPTER FIVE OF THE BEAVERTON CODE
BY ADDING A NEW SECTION, BC 5.08.240
UNLAWFUL CARRYING OF A LOADED FIREARM

WHEREAS, ORS 166.170(1) provides that the authority to regulate the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition, is vested in the Legislative Assembly, except as expressly authorized by state statute; and

WHEREAS, ORS 166.170(2) provides that no city may enact civil or criminal ordinances to regulate, restrict or prohibit the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition, except as expressly authorized by state statute; and

WHEREAS, ORS 166.173 expressly provides that a city may adopt ordinances to regulate, restrict or prohibit the possession of loaded firearms in public places, provided that the ordinances do not apply to or affect certain individuals, including without limitation: (a) a law enforcement officer in the performance of official duty, (b) a member of the military in the performance of official duty; (c) a person licensed to carry a concealed handgun or (d) a person authorized to possess a loaded firearm while in or on a public building under ORS 166.370.

Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Chapter Five of the Beaverton Code is amended by adding a new section, BC 5.08.240 Unlawful Carrying of a Loaded Firearm, to read as follows:

“5.08.240 Unlawful Carrying of a Loaded Firearm

A. No person in a public place shall carry a firearm upon the person unless all ammunition has been removed from the chamber and from the cylinder, clip or magazine.

B. Subsection A of this section does not apply to or affect:

1. A law enforcement officer in the performance of official duty.
2. A member of the military in the performance of official duty.
3. A person licensed to carry a concealed handgun.
4. A person authorized to possess a loaded firearm while in or on a public building under ORS 166.370.
5. Any person summoned by any law enforcement officer to assist in making arrests or preserving the peace, while said person so summoned is actually engaged in assisting the officer.

6. A corrections officer while transporting or accompanying an individual

convicted of or arrested for an offense and confined in a place of incarceration or detention while outside the confines of the place of incarceration or detention.

7. When authorized by the officer's employer, a parole and probation officer, as defined in ORS 181.610, may carry a firearm while engaged in official duties if the officer has completed: (1) A firearms training program recognized by the Board on Public Safety Standards and Training; and (2) A psychological screening.

8. An armed private security officer, proprietary security manager or security contractor certified and permitted by the Department of Public Safety Standards and Training to possess a firearm while in the performance of their duties.

C. A person who violates this section commits a Class A misdemeanor.

First reading this ^{2nd} day of January, 2000.

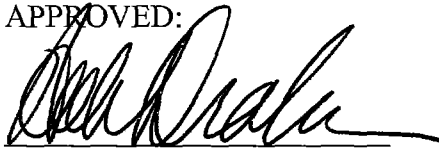
Passed by the Council this 7th day of February, 2000.

Approved by the Mayor this 8th day of FEBRUARY, 2000.

ATTEST:


DARLEEN COGBURN, City Recorder

APPROVED:


ROB DRAKE, Mayor