

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

**ORDINANCE NO. 1203**

Amending Chapter 15 to Address Firearm Safety in Multnomah County and Declaring an Emergency.

**The Multnomah County Board of Commissioners Finds:**

- a. Oregon law preempts local jurisdictions' authority "to regulate in any matter whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition," vesting that authority to the Legislative Assembly. ORS 166.170.
- b. Oregon law specifically authorizes local governments to regulate the discharge of firearms and to regulate possession of loaded firearms in public places. ORS 166.171 and 166.173.
- c. On April 25, 2013 the Board adopted Ordinance 1199 establishing the County Firearms Law.
- d. Amendment to the Firearms Law is sought to clarify the scope of the law and to exempt on-duty licensed security professionals and others from the prohibitions on possessing and discharging a firearm within the boundaries of the County.

**Multnomah County Ordains as follows:**

**Section 1.** MCC 15.061, 15.064 and 15.065 are amended as follows:

(Language stricken is deleted; underlined language is new)

**15.061        Consistency with State ~~Criminal~~ Law.**

This subchapter shall be construed consistent with state ~~criminal~~ law, and any procedures or defenses made available in the prosecution of the same or similar offenses under state criminal law shall apply in prosecutions under this subchapter.

**15.064        Possession of a Loaded Firearm in a Public Place.**

(A) It is unlawful for any person in a public place, to carry a firearm upon the person, or while in a vehicle in a public place, unless all ammunition has been removed from the chamber and from the cylinder, clip, or magazine. A person who violates this section is subject to penalty even if the person did not know that ammunition was in the cylinder, chamber, clip or magazine.

(B) The prohibitions of subsection (A) of this section do not apply to or affect:

- (1) Those listed in ORS 166.173(2).
- (2) Licensed hunters engaged in lawful hunting.
- (3) Persons engaged in target shooting at an established shooting range, shooting gallery or other area designed and built for the purpose of target shooting.

(4) A government employee authorized or required by his or her employment or office to carry firearms.

(5) A security guard employed at a financial institution insured by the Federal Deposit Insurance Corporation and an armed security professional that is certified by the Department of Public Safety Standards and Training while the security guard is on duty.

(6) Any person otherwise authorized by law to possess a loaded firearm in a public place.

(67) A person with written authorization from the Multnomah County Sheriff or his designee.

(C) It is unlawful for any person who possesses a firearm, clip or magazine in or upon a public place, or while in a vehicle in a public place, to refuse to permit a peace officer to inspect that firearm, clip or magazine after the peace officer has identified himself or herself as such. The prohibitions of this subsection do not apply to or affect the persons listed in subsection (B) of this section.

**15.065 Discharge of a Firearm.**

(A) It is unlawful for any person to fire or discharge a firearm within the boundaries of the County.

(B) The prohibition of subsection (A) of this section does not apply to or affect those listed in ORS 166.171(2) or otherwise authorized by law to fire or discharge a firearm.

**Section 2:** This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING AND ADOPTION:

July 11, 2013



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:  
JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Jenny Madkour, County Attorney

SUBMITTED BY: Jeff Cogen, Chair.