

NO. 43076-2-II

COURT OF APPEALS, DIVISION II OF THE STATE OF
WASHINGTON

KITSAP COUNTY, a political subdivision of the State of Washington,

Respondent,

vs.

KITSAP RIFLE AND REVOLVER CLUB, a not-for-profit corporation
registered in the State of Washington,

Appellant,

and

IN THE MATTER OF NUISANCE AND UNPERMITTED
CONDITIONS LOCATED AT One 72-acre parcel identified by Kitsap
County Tax Parcel ID No. 362501-4-002-1006 with street address 4900
Seabeck Highway NW, Bremerton, Washington

ON APPEAL FROM THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR PIERCE COUNTY

RESPONDENT KITSAP COUNTY'S SECOND STATEMENT OF
ADDITIONAL AUTHORITIES

RUSSELL D. HAUGE
Prosecuting Attorney

NEIL R. WACHTER
Special Deputy Prosecuting Attorney
Auburn City Attorney's Office
25 W. Main Street
Auburn, WA 98101

(253) 804-5027

Pursuant to RAP 10.8, Respondent KITSAP COUNTY respectfully submits the following additional authorities for the Court's consideration:

1. Kitsap County Ordinance No. 490 (2012), repealing former KCC¹ § 17.455.060, was adopted June 25, 2012. See Minutes for Kitsap County Board of Commissioners Meeting of June 25, 2012, available at <http://kcwaimg.co.kitsap.wa.us/recorder/eagleweb/customSearch.jsp?pageId=Minutes> (last visited 12/19/14; document accessed by using date search for 06/25/2012 in the "Minutes" search function).

2. Findings of Fact, Conclusions of Law and Orders (Feb. 9, 2012), CP 4052-4092 (the Judgment).

3. KCC § 1.01.040, providing in pertinent part:

Effect of adoption on past or pending actions or obligations.

The adoption and the repeal of ordinances by this code shall not affect the following matters:

(A) Actions and proceedings which began before the effective date of this code;

(B) Prosecutions for violations of county ordinances committed before the effective date of this code; [²]

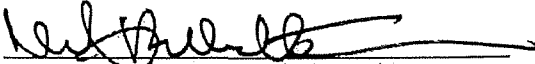
¹ The Kitsap County Code ("KCC") is published and maintained online at <http://www.codepublishing.com/wa/kitsapcounty> (last visited 12/19/14).

² See also KCC 1.04.050, providing "[w]henever a reference is made to this code, or to any portion of it, or to any ordinance of Kitsap County, the reference shall apply to all amendments, corrections, and additions thereto, whenever made."

....

Respectfully submitted this 19th day of December, 2014.

RUSSELL D. HAUGE
Kitsap County Prosecuting Attorney


NEIL R. WACHTER, WSBA No. 23278
Special Deputy Prosecuting Attorney,
Attorney for Respondent Kitsap County

CERTIFICATE OF SERVICE

I, Batrice Fredsti, declare, under penalty of perjury under the laws of the State of Washington, that I am now and at all times herein mentioned, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the above document in the manner noted upon the following:

Brian D. Chenoweth	<input checked="" type="checkbox"/>	Via U.S. Mail
Brooks Foster	<input checked="" type="checkbox"/>	Via Email: As Agreed by the
The Chenoweth Law Group		Parties
510 SW Fifth Ave., Ste. 500	<input type="checkbox"/>	Via Hand Delivery
Portland, OR 97204		

David S. Mann	<input checked="" type="checkbox"/>	Via U.S. Mail
Gendler & Mann LLP	<input checked="" type="checkbox"/>	Via Email
936 N. 34 th St. Suite 400	<input type="checkbox"/>	Via Hand Delivery
Seattle, WA 98103-8869		

Matthew A. Lind	<input checked="" type="checkbox"/>	Via U.S. Mail
Sherrard McGonagle Tizzano, PS	<input checked="" type="checkbox"/>	Via Email
19717 Front Street NE, PO Box	<input type="checkbox"/>	Via Hand Delivery
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Poulsbo, WA 98370-0400		

Richard B. Sanders	<input checked="" type="checkbox"/>	Via U.S. Mail
Goodstein Law Group	<input checked="" type="checkbox"/>	Via Email
501 S G St	<input type="checkbox"/>	Via Hand Delivery
Tacoma, WA 98405-4715		

C.D. Michel	<input checked="" type="checkbox"/>	Via U.S. Mail
Michel & Associates, P.C.	<input checked="" type="checkbox"/>	Via Email
180 E. Ocean Blvd, Ste 200	<input type="checkbox"/>	Via Hand Delivery
Long Beach, CA 90802		

SIGNED in Port Orchard, Washington this 19th day of December,
2014.



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