

CITY OF OLYMPIA
Olympia, Washington

CITY COUNCIL MEETING
August 9, 2005

SUBJECT: Proposed Nuclear Free Zone Ordinance

ORIGINATED BY: Councilmember TJ Johnson

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REQUESTED COUNCIL ACTION: Hear public testimony and review attached ordinance. Place the ordinance on the August 16, 2005 Council meeting agenda for first reading.

GENERAL GOVERNMENT COMMITTEE RECOMMENDATION: Hear public testimony and review attached ordinance. Place the ordinance on the August 16, 2005 Council meeting agenda for first reading.

DOCUMENTS ATTACHED:

1. [Nuclear Free Zone ordinance](#)

BUDGET IMPACT & SOURCE OF FUNDS:

Unknown. Staff time will be needed to implement the ordinance.

PRESENTERS AND OTHERS NOTIFIED:

Councilmember TJ Johnson, author of the ordinance

BACKGROUND:

On February 1st, 2005, the Olympia City Council joined the US Conference of Mayors by voting unanimously in support of a resolution endorsing the *Mayors for Peace 2020 Vision Campaign*, which seeks the total elimination of all nuclear weapons by the year 2020.

The City of Olympia was invited by Mayors for Peace to join a Mayoral Delegation of city officials to the 7th Non Proliferation Review Conference at the United Nations from May 1-4, 2005. Following council discussion, Council member TJ Johnson was appointed to represent the City of Olympia at the conference.

Nuclear weapons opponents across the nation and locally have suggested that local government use its authority to raise awareness of those involved in the manufacture, assembly and distribution of

nuclear weapons. Councilmember Johnson suggested that the City of Olympia pass an ordinance that would create a Nuclear Free Zone within the City limits of Olympia.

The Council referred the matter to the General Government Committee for review and recommendation. In June, the General Government Committee reviewed the ordinance and requested some additional language. On July 25, 2005, the General Government Committee recommended that a public hearing be held on the attached ordinance. The date of the public hearing was chosen to coincide with the anniversary of the bombing of Nagasaki. The General Government Committee also recommends that the ordinance be placed on the August 16, 2005 consent calendar for a first reading

Note: The use and effects of Depleted Uranium are not addressed in the proposed ordinance.

**ANALYSIS AND
OPTIONS:**

The proposed ordinance is in support of the City Council Goal #2 – “Put sustainability into action so that we do our part to make our community more livable.”

The attached Nuclear Free ordinance was modeled after the Takoma Park, MD ordinance.

The proposed ordinance would establish Olympia as a nuclear free zone in that the development, production, transportation, storage, processing, disposal and/or use of nuclear weapons would be prohibited within the city limits. It would also urge citizens and representatives to redirect resources previously used to develop, produce, transport, store, process, dispose or use nuclear weapons toward endeavors which promote sustainability and enhance life such as human services including child care, housing, schools, health care, emergency services, public transportation, public assistance and jobs.

The key elements of the proposed ordinance are:

1. **Prohibition of Nuclear Weapons:** Prohibition of nuclear facilities including development, production, transportation, storage, processing and disposal within the Olympia city limits.
2. **Investments of City Funds:** Requests the City Manager to submit a proposal to the City Council to consider a socially responsible investment policy and implementation plan for investments of city funds in industries that are knowingly and intentionally engaged in the development, testing, evaluation,

production, maintenance, storage, transportation and or disposal of nuclear weapons or their components. The investment plan would be implemented in increments.

3. **Eligibility of City Contracts:** Requires that the City of Olympia grant no awards or contracts for any purpose to any person, firm, corporation or entity which is knowingly or intentionally engaged in the development, research, production, maintenance, storage, transportation and/or disposal of nuclear weapons or their components. Entities wishing to do business with the City of Olympia would have to sign an affidavit certifying that they have no involvement with nuclear weapons production as described above. The City will rely on entities to self-report nuclear weapons involvement. If an entity will not or cannot certify that they are not involved with nuclear weapons, the Mayor will write a letter declaring Olympia as a nuclear free zone and requesting that the entity cease involvement with nuclear weapons. Exceptions to this provision may be granted if the City Manager finds that no reasonable alternatives exist.
4. **Exclusions:** The ordinance would not prohibit or regulate the research and application of nuclear medicine or the use of fissionable materials for smoke detectors, light-emitting watches and clocks, etc. Nothing in the ordinance would be interpreted to infringe upon the rights guaranteed by the first amendment to the U.S. Constitution or upon the power of Congress to provide for the common defense.
5. **Enforcement:** The City will rely on entities to self-report their involvement with nuclear weapon production. Any infractions will be treated as a civil infraction.

Option 1 recommend ordinance be placed on August 16, 2005, Council agenda for first reading.

Pros

1. By enacting a nuclear free zone, the City will expand its effort to eliminate nuclear weapons.
2. Passage of the ordinance will raise awareness about nuclear weapons and those who participate in their manufacture and development.
3. City action would better align our business practices with community values.
4. The ordinance supports the Council goal #2 to put sustainability into action.

Cons

1. Although a large impact is not anticipated, it is unknown

how much staff time would be required to implement the ordinance.

2. The City's effect on nuclear non-proliferation is not measurable with data.

Option 2. – do not recommend ordinance be placed on August 16, 2005, Council agenda for first reading

Pros

1. No additional staff resources would be needed.
2. Another ordinance could be recommended at a later time if preferred.

Cons

1. No City action would be taken to align business practices with community values.