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CITY OF SEATTLE
2012 MAY -1 PM 4:07
CITY CLERK

CIVIL ORDER

AUTHORIZING CONFISCATION OF WEAPONS

CITY OF SEATTLE

WHEREAS, in my capacity as Mayor, I issued a proclamation of civil emergency dated May 1, 2012 at 2:37 PM; and

WHEREAS, the facts stated in that proclamation continue to exist, as well as the following additional facts: individuals carrying and utilizing weapons and implements identified in the proclamation have and are presently using the same to damage private and public property including the Federal Courthouse and Wells Fargo Bank; a reporter was struck with a paint bomb; and automobiles have been damaged in the downtown core; and

WHEREAS, individuals presently engaged in this behavior do not appear to be associated with any planned, permitted event or other lawful expression of free speech or lawful assembly; and

WHEREAS, it is necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, I believe it is in the best interest of the public safety that law enforcement be granted the authority to respond in the manner contemplated in this Civil Order; and

WHEREAS, the conditions of this Civil Order are designed to provide the least necessary restriction on the rights of the public; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52. **NOW, THEREFORE,**

I, Michael Patrick McGinn, as Mayor of The City of Seattle, do Order that:

SECTION 1:

A. A restricted area is imposed in the portion of the City defined at present as bounded approximately on the East by Interstate 5, on the South by Yesler Way, on the West by Puget Sound and on the North by Denny Way.

B. Within this zone, all persons are prohibited from possessing, transporting,

or transfering any weapon. Additionally, law enforcement shall have the authority to confiscate any weapon or implement reasonably perceived or believed to be capable of being used as a weapon, including tire-irons, clubs, metal signs, unusually heavy-duty pieces of lumber such as bats or 2x4 inch boards and other objects that can be used to inflict bodily harm or damage to property.

C. Law enforcement will use reasonable efforts to protect the rights of individuals engaged in free expression, but given the active and evolving situation the interests of public safety outweigh the use of those items for individual expression.

D. This order shall not apply to the weapons lawfully kept on business or residential premises.

SECTION 2:

Any person found to have knowingly violated this Civil Order is guilty of Failure to Obey the Mayor's Emergency Order, and upon conviction may be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment. SMC 10.02.110; 12A.26.040.

SECTION 3:

All mayoral proclamations presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this order, then the provision of this order shall control.

SECTION 4:

A copy of this Civil Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems. SMC 10.02.100.

SECTION 5:

This Civil Order shall, within 48 hours of issuance, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Order shall be void. If the City Council rejects this Civil Order, such rejection shall not affect the City's

responsibility for any actions taken prior to the rejection of this Civil Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City. SMC 10.02.020(O).

DATED at Seattle, Washington, this 1st day of May, 2012, at 3:02 o'clock P.M..

MICHAEL PATRICK MCGINN
MAYOR OF THE CITY OF SEATTLE