

Amending the Criminal Code to correct erroneous subsection references.

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Ordinance No. 108309

AN ORDINANCE amending Section 12A.17.160 of Ordinance 102843 (Criminal Code) to correct erroneous subsection reference.

6-20-79 PS-9 PASS

COMPTROLLER
FILE NUMBER _____

Council Bill No. 100441

INTRODUCED: JUN 18 1979	BY: EXECUTIVE REQUEST
REFERRED: JUN 18 1979	TO: PUB. SAFETY & JUSTICE
REFERRED:	
REFERRED:	
REPORTED: JUN 25 1979	SECOND READING: JUN 25 1979
THIRD READING: JUN 25 1979	SIGNED: JUN 25 1979
PRESENTED TO MAYOR: JUN 25 1979	APPROVED: JUN 25 1979
RETD. TO CITY CLERK: JUN 25 1979	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

- B.P. Co.
- Police
- music ext

PUB. (BC)
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ENG.
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ORDINANCE 108309

AN ORDINANCE amending Section 12A.17.160 of Ordinance 102843 (Criminal Code) to correct erroneous subsection reference.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 12A.17.160 of Ordinance 102843 (Criminal Code) be amended to read as follows:

Section 12A.17.160 Exemptions.

- (1) The proscriptions of subsection 12A.17(~~160~~) .140 (1) (f) relating to gas pens, gas pencils, gas bombs, and gas pistols, shall not apply to:
 - (a) Sales at wholesale;
 - (b) Peace officers or military personnel while in the performance of their official duties;
 - (c) Sales to a governmental agency;
 - (d) The sale to mail carriers, field personnel of the King County Department of Assessments, or public or private utility meter readers, or the purchase, possession or carrying by any such persons, of aerosol canister devices designed for the purpose of repelling attacks by dogs and other animals and containing and capable of emitting in spray form oleoresin of capsicum or other similar substance.
 - (e) The sale, by a person licensed to sell pistols in accordance with RCW 9.41.110 of Federal's Streamer No. 280 liquid tear gas repeater or similar liquid tear gas aerosol canister devices approved by the chief of police as safe against accidental firing and capable of only temporary disablement or impairment, to truck drivers, taxicab drivers, transit drivers, or other commercial drivers who

1 regularly as part of their occupation carry cash
2 or merchandise, and who have successfully completed
3 a Seattle Police Department class of instruction
4 on the use of such tear gas devices, or to purchase,
5 or possession or carrying during working hours, of
6 such device by such persons after successful
7 completion of such class of instruction. Application
8 for such instruction shall be made to the Chief of
9 Police and shall be accompanied by a fee of \$5.00.

10 (2) The proscriptions of subsection 12A.17.140(a)(2) relating
11 to dangerous knives shall not apply to:

12 (a) Individual licensed hunters or fishermen while on
13 a hunting, camping or fishing trip;

14 (b) Any person carrying such knife in a secure wrapper
15 from or to the place of purchase or a place of
16 repair to or from his home or place of business,
17 or in moving from one place of abode or business
18 to another, or while in his place of abode or
19 fixed place of business.

20 (3) Subsection 12A.17.140(a)(3) shall not apply to or
21 affect:

22 (a) Peace officers, or military personnel while in the
23 performance of their official duties;

24 (b) Regularly enrolled members of any club or organization
25 organized for the purpose of practicing shooting
26 at targets upon established target ranges, whether
27 public or private, while such members are at, or
28 are going to or from such target ranges;

(c) Regularly enrolled members of any club or organization
organized for the purpose of collecting modern or

(To be used for all Ordinances except Emergency.)

- antique firearms while such members are at, or are going to or from a gun collector's show or exhibit;
- (d) Individual licensed hunters or fishermen while on a hunting, camping, or fishing trip;
 - (e) Any person engaged in the business or manufacturing, repairing, or dealing in firearms or the agent or representative of such person, having in his possession, using or carrying a pistol in the usual or ordinary course of such business;
 - (f) Any person carrying a pistol unloaded and in a secure wrapper from or to the place of purchase or a place of repair to or from his home or place of business, or in moving from one place of abode or business, to another.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25 day of June, 1979
and signed by me in open session in authentication of its passage this 25 day of
June, 1979

John Miller
President of the City Council.

Approved by me this 25 day of June, 1979

John Miller
Acting Mayor.

Filed by me this 25 day of June, 1979

Attest: *E. L. King*
City Comptroller and City Clerk.

(SEAL)

Published.....

Rayne Argentine
Deputy Clerk.

Seattle Police Department

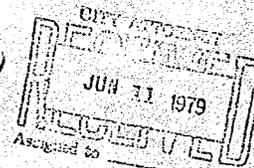
Patrick S. Fitzsimons, Chief of Police
Charles Royer, Mayor



June 7, 1979

Mr. D. N. Jewett
City Attorney
City Law Department

Karegama



Subject: Typographical error in Ordinance 108191

Dear Mr. Jewett:

On May 15, 1979 the City Council introduced an Ordinance #108191 to correct an erroneous subsection in Seattle Criminal Code section 12A.17.160. This new ordinance which amends Ordinance #102843 contains a typographical error. On line eight (8) the subsection referred to should be 12A.17.140 instead of 12A.17.160.

Please take whatever steps that are necessary to correct the error.

Very truly yours,

PATRICK S. FITZSIMONS
Chief of Police

Leo E. Poort

Leo E. Poort
Legal Advisor

LEP:aks
Enclosure

ORDINANCE 108308

AN ORDINANCE amending Section 12A.17.160 of Ordinance 102843 (Criminal Code) to correct erroneous subsection reference.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 12A.17.160 of Ordinance 102843 (Criminal Code) be amended to read as follows:

Section 12A.17.160 Exemptions.

(1) The proscriptions of subsection 12A.17.140(1) relating to gas pens, gas pencils, gas bombs, and gas pistols, shall not apply to:

(a) Sales at wholesale;

(b) Peace officers or military personnel while in the performance of their official duties;

(c) Sales to a governmental agency;

(d) The sale to mail carriers, field personnel of the King County Department of Assessments, or public or private utility meter readers, or the purchase, possession or carrying by any such person, of aerosol canister devices designed for the purpose of repelling attacks by dogs and other animals and containing and capable of emitting in spray form oleoresin of capsicum or other similar substance.

(e) The sale, by a person licensed to sell pistols in accordance with RCW 9A.11.010 of Federal's Streamer No. 280 liquid tear gas repeater or similar liquid tear gas aerosol canister devices approved by the chief of police as safe against accidental firing and capable of only temporary disablement or impairment, to truck drivers, taxicab drivers, transit drivers, or other commercial drivers who regularly as part of their occupation carry cash or merchandise, and who have successfully completed a Seattle Police Department class of instruction on the use of tear gas devices, or to purchase, or possession or carrying during working hours, of such device by such persons after successful completion of such class of instruction. Application for such instruction shall be made to the Chief of Police and shall be accompanied by a fee of \$5.00.

(2) The proscriptions of subsection 12A.17.140(a)(2) relating to dangerous knives shall not apply to:

(a) Individual licensed hunters or fishermen while on a hunting, camping or fishing trip;

(b) Any person carrying such knife in a secure wrapper from or to the place of purchase or a place of repair to or from his home or place of business, or in moving from one place of abode or business to another, or while in his place of abode or fixed place of business.

(3) Subsection 12A.17.140(a)(3) shall not apply to or affect:

(a) Peace officers, or military personnel while in the performance of their official duties;

(b) Regularly enrolled members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are at, or are going to or from such target ranges;

(c) Regularly enrolled members of any club or organization organized for the purpose of collecting modern or antique firearms while such members are at, or are going to or from a gun collector's show or exhibit;

(d) Individual licensed hunters or fishermen while on a hunting, camping, or fishing trip;

(e) Any person engaged in the business or manufacturing, repairing, or dealing in firearms or the agent or representative of such person, having in his possession, using or carrying a pistol in the usual or ordinary course of such business;

(f) Any person carrying a pistol unloaded and in a secure wrapper from or to the place of purchase or a place of repair to or from his home or place of business, or in moving from one place of abode or business, to another.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25th day of June, 1979, and signed by me in open session in authentication of its passage this 25th day of June, 1979.

JOHN MILLER,
President of the City Council.

Approved by me this 25th day of June, 1979.

JOHN MILLER,
Acting Mayor.

Filed by me this 25th day of June, 1979.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

By: WAYNE ANGEVINE,
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, June 27, 1979. (C-886)

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on PUBLIC SAFETY AND JUSTICE

JUN 25 1979

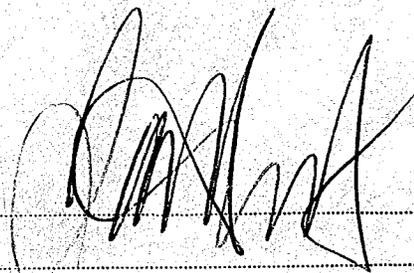
to which was referred

C.B. 100441

Amending the Criminal Code to correct erroneous subsection references.

Amending Section 12A.17.160 of Ordinance 102843 (Criminal Code) to correct erroneous subsection reference.

DO PASS



Chairman

Chairman

Committee

Committee

C-886

Affidavit of Publication

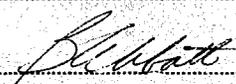
STATE OF WASHINGTON KING COUNTY—SS.

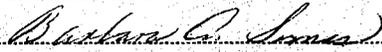
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 108309

was published on June 27, 1979


Subscribed and sworn to before me on
June 27, 1979


Notary Public for the State of Washington,
residing in Seattle.