

ORDINANCE No. 113547

*Law Department*

COUNCIL BILL No. 106204

**The City of Seattle--Legislative D**

AN ORDINANCE related to the original code amending I.A. 12A of the Seattle Municipal Code, Seattle Criminal Code, by amending I.A. 14.02 relating to unlawful use of weapons making it unlawful to carry concealed or concealed on the person, any dangerous knife and amending I.A. 14.10 to except the carrying of knives for specific occupational use or use related to training activities, including education and travel related thereto, and further amending I.A. 14.11 to redefine "dangerous knife" to include all fixed-blade knives regardless of length.

**REPORT OF COMMITTEE**

*July 28, 1987 Do Pass*

Honorable President: Public Safety  
Your Committee on Public Safety  
to which was referred the within Council Bill No. 106204  
report that we have considered the same and respectfully recommend

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: JUN 22 1987	By: EXECUTIVE REQUEST
Referred: JUN 22 1987	To: Public Safety
Referred:	To:
Referred:	To:
Reported: AUG 10 1987	Second Reading: AUG 10 1987
Third Reading: AUG 10 1987	Signed: AUG 10 1987
Presented to Mayor: AUG 11 1987	Approved: AUG 20 1987
Returned to City Clerk: AUG 20 1987	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: (OK)

REC'D OMB AUG 1 1987

*Do Pass*

*Norman B. ...*  
Committee Chair



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ORDINANCE 113542

AN ORDINANCE related to the criminal code; amending Title 12A of the Seattle Municipal Code (Seattle Criminal Code) by amending 12A.14.080 relating to unlawful use of weapons making it unlawful to carry concealed or unconcealed on the person, any dangerous knife; and amending 12A.14.100 to except the carrying of knives for specific occupational use or use related to fishing or hunting, including education and travel related thereto, and further amending 12A.14.010 to redefine "dangerous knife" to include all "fixed-blade" knives regardless of length.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 12A.14.010 of the Seattle Municipal Code is amended as follows:

12A.14.010 Definitions

The following definitions apply in this chapter:

A. "Aerosol tear gas personal protection device" means a container for dispensing tear gas, the active ingredient of which is either chloracetophenone (CN) or O-chlorobenzylidene malonotrile (CS) within the range of 0.8% to 1.2% of the net contents by volume, which container has a net weight of one hundred fifty grams or less.

B. "Commercial seller" means a person who has a federal firearms license.

C. "Crime of violence" means the following felonies, as now existing or hereafter amended.

1. Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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2 forcible compulsion, rape in the second degree, kidnapping  
3 in the second degree, arson in the second degree, assault  
4 in the second degree, extortion in the first degree, bur-  
5 glary in the second degree and robbery in the second  
6 degree;

7 2. Any conviction for a felony offense in effect at  
8 any time prior to July 1, 1976, which is comparable to a  
9 felony classified as a crime of violence in subsection C1  
10 of this section; and

11 3. Any federal or out-of-state conviction for an  
12 offense comparable to a felony classified as a crime of  
13 violence under subsection C1 or 2 of this section.

14 D. "Dangerous knife" means any fixed-blade knife and any  
15 other knife having a blade more than three and one-half  
16 inches (3 1/2") in length ((7)). ((or any dagger, sword,  
17 bayonet, bolo knife, hatchets, straight edge razor, or  
18 razor blade not in a package, dispenser, or shaving  
19 appliance.))

20 E. "Fixed-Blade Knife" means any knife regardless of  
21 blade length, with a blade which is permanently open and  
22 does not fold, or retract or slide into the handle of the  
23 knife and includes any danger, sword, bayonet, bolo knife,  
24 hatchet, axe, straight edged razor, or razor blade not in  
25 a package, dispenser or shaving appliance.

26 ((E))F. "Firearm" means a weapon or device from which a  
27 projectile may be fired by an explosive such as gunpowder.

28 ((F))G. "Gas pen," "gas pencil," "gas bomb" and "gas  
pistol" means any pen, pencil, bomb, pistol or other  
device which is capable of containing an emitting tear gas  
or any noxious liquid, gas or substance.

((G))H. "Short firearm" or "pistol" means any firearm  
having a barrel less than twelve inches in length.

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((H))I. "Switchblade knife" means any knife having a blade that opens automatically by hand pressure applied to a button, spring mechanism, or other device, or blade that opens, falls or is ejected into position by force of gravity or by an outward, downward, or centrifugal thrust or movement.

Section 2. Section 12A.14.075 of the Seattle Municipal Code is amended as follows:

12A.14.075 Unlawful use of weapons to intimidate another.

A. It shall be unlawful for any person to carry, exhibit, display or draw any dangerous knife or other knife with a blade that is open for use or deadly weapon in a manner, under circumstances, and at a time and place that manifest an intent to intimidate another person.

B. Subsection A of this section shall not apply to or affect the following:

1. Any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty;

2. Any person acting for the purpose of protecting himself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of ((such)) presently threatened unlawful force by a third person;

3. Any person making or assisting in making a lawful arrest for the commission of a felony; or

4. Any person engaged in military activities sponsored by the federal or state governments.

Section 3. Section 12A.14.080 of the Seattle Municipal Code is amended as follows:

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12A.14.040 Unlawful use of weapons.

It is unlawful for a person knowingly to:

- A. Sell, manufacture, purchase, possess or carry any blackjack, sand-club, metal knuckles, switchblade knife, chako sticks, or throwing stars; or
- B. Carry concealed or unconcealed on his/her person any dangerous knife, or carry concealed on his/her person any deadly weapon other than a pistol; (~~provided,~~ that a dangerous knife carried openly in a sheath suspended from the waist of person is not concealed within the meaning of this subsection:)) or
- C. Carry a loaded pistol in any vehicle or carry a pistol concealed on his person, except when in his place of abode or fixed place of business, without a license therefor as provided in RCW Chapter 9.41 and Section 12A.14.030; or
- D. Sell or give away to any person under eighteen years of age any dangerous knife or deadly weapon, or for any person under eighteen years of age to purchase any dangerous knife or deadly weapon, or for any person under eighteen years of age to possess any dangerous knife or deadly weapon except when under the direct supervision of an adult; or
- E. Set a spring gun; or
- F. Use any device or attachment of any kind designed, used or intended for use in silencing the noise of any firearm; or
- G. Sell, purchase, possess or carry any gas pen, gas pencil, gas bomb or gas pistol except as provided in Section 12A.14.090.

Section 4. Section 12A.14.100 of the Seattle Municipal Code is amended as follows:

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12A.14.100 Exemptions-Dangerous knives

The proscriptions of Section 12A.14.080 B relating to dangerous knives shall not apply to:

A. ~~((Individual licensed hunters or fishermen while on a hunting, camping or fishing trip, or))~~ A licensed hunter or licensed fisherman actively engaged in hunting and fishing activity including education and travel related thereto; or

B. Any person immediately engaged in an activity related to a lawful occupation which commonly requires the use of such knife, provided such knife is carried unconcealed; provided further that a dangerous knife carried openly in a sheath suspended from the waist of a person is not concealed within the meaning of this subsection.

C. ~~((B))~~ Any person carrying such knife in a secure wrapper or in a tool box while traveling from the place of purchase, from or to a place of repair, or from or to such person's home or place of business, or moving from one place of abode or business to another, or while in such person's place of abode or fixed place of business.

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(To be used for all Ordinances except Emergency.)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Section 4. 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 10<sup>th</sup> day of August, 1987, and signed by me in open session in authentication of its passage this 10<sup>th</sup> day of August, 1987. *[Signature]* President of the City Council

Approved by me this 20<sup>th</sup> day of August, 1987. *[Signature]* Mayor.

Filed by me this 20<sup>th</sup> day of August, 1987.

Attest: *Norward J. Brooks*  
City Comptroller and City Clerk.

(SEAL)

Published .....

By *Theresa Dunbar*  
Deputy Clerk.

Office Of The Mayor  
City of Seattle

Charles Royer, Mayor

June 10, 1987



OK  
AS  
6/17/87

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

*Supra*

702  
9335-

Dear Mr. Jewett:

I am proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Mayor's Office

SUBJECT: AN ORDINANCE related to the criminal code; amending Title 12A of the Seattle Municipal Code (Seattle Criminal Code) by amending 12A.14.080 relating to unlawful use of weapons making it unlawful to carry concealed or unconcealed on the person, any dangerous knife; and amending 12A.14.100 to except the carrying of knives for specific occupational use or use related to fishing or hunting, including education and travel related thereto, and further amending 12A.14.010 to redefine "dangerous knife" to include all "fixed-blade" knives regardless of length.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation, file the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.

Sincerely,

Charles Royer

Enclosure

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Office Of The Mayor  
City of Seattle

Charles Royer, Mayor



June 10, 1987

M E M O R A N D U M

TO: Councilmember Norm Rice  
Chair, Public Safety Committee

FROM: Charles Royer *Charles Royer*

SUBJECT: Attached Legislation

Attached is a set of proposed ordinance changes designed to enhance the ability of our police officers to respond effectively to the public safety issues which face us today. These are part of a larger strategy we are pursuing that involves systematic changes in our treatment system for alcoholics, mentally ill, drug abusers, and in our criminal justice system.

As we deploy more beat officers on our streets and in our neighborhoods, we must give them the tools which will allow them to enforce a standard of behavior that respects the rights of all citizens in our community. I have already proposed, and the Council has recently passed, a set of ordinance changes directed toward similar problems occurring in our parks.

I appreciate your interest in these proposals, and look forward to working with you to ensure their speedy passage.

# City of Seattle

ORDINANCE 113547

AN ORDINANCE related to the criminal code, amending Title 12A of the Seattle Municipal Code (Seattle Criminal Code) by amending 12A.14.080 relating to unlawful use of weapons making it unlawful to carry concealed or unconcealed on the person, any dangerous knife; and amending 12A.14.100 to except the carrying of knives for specific occupational use or use related to fishing or hunting, including education and travel related thereto, and further amending 12A.14.010 to redefine "dangerous knife" to include all "fixed-blade" knives regardless of length.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 12A.14.010 of the Seattle Municipal Code is amended as follows:

## 12A.14.010 DEFINITIONS

The following definitions apply in this chapter:

A. "Aerosol tear gas personal protection device" means a container for dispensing tear gas, the active ingredient of which is either chloracetophenone (CN) or O-chlorobenzylidene malonitrile (CS) within the range of 0.8% to 1.2% of the net contents by volume, which container has a net weight of one hundred fifty grams or less.

B. "Commercial seller" means a person who has a federal firearms license.

C. "Crime of violence" means the following felonies, as now existing or hereafter amended:

1. Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation or criminal conspiracy to commit a class A felony, manslaughter in first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, burglary in the second degree and robbery in the second degree;

2. Any conviction for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection C1 of this section; and

3. Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under subsection C1 or 2 of this section.

D. "Dangerous knife" means ANY FIXED-BLADE KNIFE AND ANY OTHER knife having a blade more than three and one-half inches (3 1/2") in length (a) (or any dagger, sword, bayonet, bolo knife, hatchet, straight edge razor, or razor blade not in a package, dispenser, or shaving appliance.)

E. "FIXED-BLADE KNIFE" MEANS ANY KNIFE REGARDLESS OF BLADE LENGTH, WITH A BLADE WHICH IS PERMANENTLY OPEN AND DOES NOT FOLD OR RETRACT OR SLIDE INTO THE HANDLE OF THE KNIFE AND INCLUDES ANY DANGER, SWORD, BAYONET, GOLO KNIFE, HATCHET, AXE, STRAIGHT EDGED RAZOR, OR RAZOR BLADE NOT IN A PACKAGE, DISPENSER OR SHAVING APPLIANCE.

(E) F. "Firearm" means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(F) G. "Gas pen," "gas pencil," "gas bomb," and "gas pistol" means any pen, pencil, bomb, pistol or other device which is capable of containing an emitting tear gas or any noxious liquid, gas or substance.

(G) H. "Short firearm" or "pistol" means any firearm having a barrel less than twelve inches in length.

(H) I. "Switchblade knife" means any knife having a blade that opens automatically by hand pressure applied to a button, spring mechanism, or other device, or blade that opens, falls or is ejected into position by force of gravity or by an outward, downward, or centrifugal thrust or movement.

Section 2. Section 12A.14.075 of the Seattle Municipal Code is amended as follows:

12A.14.075 Unlawful use of weapons to intimidate another.

A. It shall be unlawful for any person to carry, exhibit, display or draw any dangerous knife OR OTHER KNIFE WITH A BLADE THAT IS OPEN FOR USE or deadly weapon in a manner under circumstances, and at a time and place that manifest an intent to intimidate another person.

B. Subsection A of this section shall not apply to or affect the following:

1. Any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty;

2. Any person acting for the purpose of protecting himself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of (such) PRESENTLY THREATENED unlawful force by a third person;

3. Any person making or assisting in making a lawful arrest for the commission of a felony; or

4. Any person engaged in military activities sponsored by the federal or state governments.

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12A.14.080 Unlawful use of weapons.

It is unlawful for a person knowingly to:

A. Sell, manufacture, purchase, possess or carry any blackjack, sand-club, metal knuckles, switchblade knife, chako sticks, or throwing stars; or

B. Carry concealed OR UNCONCEALED on his/HER person any dangerous knife, or CARRY CONCEALED ON HIS/HER PERSON ANY deadly weapon other than a pistol; (provided, that a dangerous knife carried openly in a sheath suspended from the waist of person is not concealed within the meaning of this subsection;) or

C. Carry a loaded pistol in any vehicle or carry a pistol concealed on his person, except when in his place of abode or fixed place of business, without a license therefor as provided in RCW Chapter 9A.1 and Section 12A.14.030; or

D. Sell or give away to any person under eighteen years of age any dangerous knife or deadly weapon, or for any person under eighteen years of age to purchase any dangerous knife or deadly weapon, or for any person under eighteen years of age to possess any dangerous knife or deadly weapon except when under the direct supervision of an adult; or

E. Set a spring gun; or

F. Use any device or attachment of any kind designed, used or intended for use in silencing the noise of any firearm; or

G. Sell, purchase, possess or carry any gas pen, gas pencil, gas bomb or gas pistol except as provided in Section 12A.14.090.

Section 4. Section 12A.14.100 of the Seattle Municipal Code is amended as follows:

12A.14.100 Exemptions-Dangerous Knives.

The proscriptions of Section 12A.14.080 B relating to dangerous knives shall not apply to:

A. (Individual licensed hunters or fishermen while on a hunting, camping or fishing trip, or) A LICENSED HUNTER OR LICENSED FISHERMAN ACTIVELY ENGAGED IN HUNTING AND FISHING ACTIVITY INCLUDING EDUCATION AND TRAVEL RELATED THERETO; OR

B. ANY PERSON IMMEDIATELY ENGAGED IN AN ACTIVITY RELATED TO A LAWFUL OCCUPATION WHICH COMMONLY REQUIRES THE USE OF SUCH KNIFE, PROVIDED SUCH KNIFE IS CARRIED UNCONCEALED; PROVIDED FURTHER THAT A DANGEROUS KNIFE CARRIED OPENLY IN A SHEATH SUSPENDED FROM THE WAIST OF A PERSON IS NOT CONCEALED WITHIN THE MEANING OF THIS SUBSECTION.

C. (B) Any person carrying such knife in a secure wrapper or in a tool box while traveling from the place of purchase, from or to a place of repair, or from or to such person's home or place of business, or moving from one place of abode or business to another, or while in such person's place of abode or fixed place of business.

Section 4. 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 10th day of August, 1987, and signed by me in open session in authentication of its passage this 10th day of August, 1987.

SAM SMITH,  
President of the City Council.

Approved by me this 20th day of August, 1987.

CHARLES ROYER,  
Mayor.

Filed by me this 20th day of August, 1987.

Attest: NORWARD J. BROOKS,  
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,  
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, August 25, 1987.  
(C-983-X)

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C-963-X

### 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. 113547

.....  
was published on August 26, 1987  
.....

*S. Blair*

Subscribed and sworn to before me on  
August 26, 1987

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

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