

# Ordinance No. 110785

AN ORDINANCE relating to the Seattle Criminal Code and to weapons control; amending Section 12A.14.010 of the Seattle Municipal Code to define switchblade knife, and amending Section 12A.14.080 of the Seattle Municipal Code relating to the unlawful use of weapons, to reinsert inadvertent omissions.

9/15/82 PASS

COMPTROLLER  
FILE NUMBER \_\_\_\_\_

*wp*

# Council Bill No. 103242

INTRODUCED: AUG 30 1982	BY: City Attorney
REFERRED: AUG 30 1982	TO: P & H
REFERRED:	
REFERRED:	
REPORTED: SEP 20 1982	SECOND READING: SEP 20 1982
THIRD READING: SEP 20 1982	SIGNED: SEP 20 1982
PRESENTED TO MAYOR: SEP 21 1982	APPROVED: SEP 30 1982
RETD. TO CITY CLERK: SEP 30 1982	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

OK

*Law Department*

②

*Jaw*

<input type="checkbox"/> LIGHT	<input type="checkbox"/> HEALTH
<input type="checkbox"/> ENG	<input type="checkbox"/> PARKS
<input type="checkbox"/> DCI.U	<input type="checkbox"/> L & CA
<input type="checkbox"/> DCD	<input type="checkbox"/> <i>Mun. Court</i>
<input checked="" type="checkbox"/> LAW	<input type="checkbox"/> <i>Police Dept</i>

RE:pm  
8/18/82

ORDINANCE 110785

1  
2  
3  
4 AN ORDINANCE relating to the Seattle Criminal Code and to  
5 weapons control; amending Section 12A.14.010 of the Seattle  
6 Municipal Code to define switchblade knife, and amending  
7 Section 12A.14.080 of the Seattle Municipal Code relating  
8 to the unlawful use of weapons, to reinsert inadvertent  
9 omissions.

7 WHEREAS, the last amendment to SMC 12A.14 regarding weapons  
8 added provisions regarding tear gas canisters, but  
9 inadvertently omitted pre-existing provisions regarding  
10 knives, that should be reinstated into the Code; Now,  
11 Therefore,

12 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

13 Section 1. Section 12A.14.010 of the Seattle Municipal  
14 Code (Section 12A.17.010 of Ordinance 102843 as last amended  
15 by Ordinance 110462) is amended as follows:

16 12A.14.010 Definitions.

17 The following definitions apply in this chapter:

18 A. "Aerosol tear gas personal protection device" means a  
19 container for dispensing a tear gas, the active ingredients of  
20 which is either chloracetophenone (CN) or O-chlorobenzylidene  
21 malonotrile (CS) within the range of 0.8% to 1.2% of the net  
22 contents by volume, which container has a net weight of 150  
23 grams or less.

24 B. "Crime of violence" means any of the following crimes  
25 or an attempt to commit any of the same: Murder, manslaughter,  
26 rape, riot, mayhem, first-degree assault, second-degree assault,  
27 robbery, burglary and kidnapping.

28 C. "Dangerous knife" means any knife having a blade more  
than three and one-half inches in length, or any dagger, sword,  
bayonet, bolo knife, hatchets, straight-edge razor, or razor  
blade not in a package(+), dispenser, or shaving appliance.

1 D. "Fugitive from justice" means a person who, having  
2 committed a crime, flees from the jurisdiction where it was  
3 committed to evade arrest.

4 E. "Gas pen," "gas pencil," "gas bomb" and "gas pistol"  
5 mean any pen, pencil, bomb, pistol or other device which is  
6 capable of containing and emitting tear gas or any noxious  
7 liquid, gas or substance.

8 F. "Pistol" means any firearm or other weapon for the  
9 purposes of discharging a projectile by means of compressed  
10 air, chemical combustion, or otherwise and having a barrel  
11 less than twelve inches in length.

12 G. "Switchblade knife" means any knife having a blade  
13 that opens automatically by hand pressure applied to a button,  
14 spring mechanism, or other device, or blade that opens, falls  
15 or is ejected into position by force of gravity or by an  
16 outward, downward, or centrifugal thrust or movement.

17 Section 2. Seattle Municipal Code Section 12A.14.080  
18 (Ordinance 102843 Section 12A.17.040 as last amended by  
19 Ordinance 110462) is further amended as follows:

20 12A.14.080 Unlawful use of weapons.

21 It is unlawful for a person knowingly to:

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

25 B. Carry concealed on his person any dangerous knife or  
26 deadly weapon other than a pistol; provided, that a dangerous  
27 knife carried openly in a sheath suspended from the waist of a  
28 person is not concealed within the meaning of this subsection;  
or

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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, pencil, gas bomb or gas pistol except as provided in 12A.14.090.

(To be used for all Ordinances except Emergency.)

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 20<sup>th</sup> day of September, 1972, and signed by me in open session in authentication of its passage this 20<sup>th</sup> day of September, 1972.

*[Signature]*

President Pro Tem of the City Council.

Approved by me this 30<sup>th</sup> day of September, 1972.

*[Signature]*

Mayor.

Filed by me this 30<sup>th</sup> day of September, 1972.

Attest: *[Signature]*  
City Comptroller and City Clerk.

(SEAL)

Published By: *[Signature]*  
Deputy Clerk.

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING - SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

August 24, 1982

City Council  
The City of Seattle

RE: Unlawful Use of Weapons Legislation

Dear Honorable Members:

Attached for your consideration is an amendment to the Seattle Criminal Code. The purpose of this amendment is to correct several inadvertent deletions to the unlawful use of weapons ordinance, SMC § 12A.14, that occurred when the ordinance was last amended to add provisions regarding tear gas canisters. Ordinance 110462. No new provisions would be added by the adoption of this ordinance.

Specifically, the attached ordinance, if adopted, would add back three parts of the ordinance that were deleted when Ordinance 110462 was passed. First, this ordinance would reinsert language excluding razor blades not in a "dispenser, or shaving appliance" from the definition of a dangerous knife. Second, this ordinance would reestablish the definition for "switchblade knife." That is,

"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."

Finally, the attached ordinance again would make it illegal "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. This language is consistent with the intent of SMC 12A.14.080(D) making it a misdemeanor to sell such weapons to persons under eighteen or for these persons to purchase such weapons.

LAW DEPARTMENT—THE CITY OF SEATTLE

City Council  
August 24, 1982  
Page Two

In conclusion, this ordinance would only reinstate language from the weapons ordinance that was inadvertently omitted when the ordinance was last amended. Your attention to this matter would be greatly appreciated.

Very truly yours,

DOUGLAS N. JEWETT  
City Attorney

By *Rodney Eng*  
RODNEY ENG  
Assistant

RE: fmh/pm

Attachment

ORDINANCE 110785

AN ORDINANCE relating to the Seattle Criminal Code and to weapons control; amending Section 12A.14.010 of the Seattle Municipal Code to define switchblade knife, and amending Section 12A.14.080 of the Seattle Municipal Code relating to the unlawful use of weapons, to reinsert inadvertent omissions.

WHEREAS, the last amendment to SMC 12A.14 regarding weapons added provisions regarding tear gas canisters, but inadvertently omitted pre-existing provisions regarding knives, that should be reinstated into the Code; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 12A.14.010 of the Seattle Municipal Code (Section 12A.17.010 of Ordinance 102843 as last amended by Ordinance 110462) 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 a tear gas, the active ingredients 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 150 grams or less.

B. "Crime of violence" means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, riot, mayhem, first-degree assault, second-degree assault, robbery, burglary and kidnapping.

C. "Dangerous knife" means any knife having a blade more than three and one-half inches in length, or any dagger, sword, bayonet, bolo knife, hatchets, straight-edge razor, or razor blade not in a package (or), dispenser, or shaving appliance.

D. "Fugitive from justice" means a person who, having committed a crime, flies from the jurisdiction where it was committed to evade arrest.

E. "Gas pen," "gas pencil," "gas bomb" and "gas pistol" mean any pen, pencil, bomb, pistol or other device which is capable of containing and emitting tear gas or any noxious liquid, gas or substance.

F. "Pistol" means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion, or otherwise and having a barrel less than twelve inches in length.

G. "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. Seattle Municipal Code Section 12A.14.080 (Ordinance 102843; Section 12A.17.040 as last amended by Ordinance 110462) is further amended as follows:

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, chaco sticks, or throwing stars; or

B. Carry concealed on his person any dangerous knife or deadly weapon other than a pistol; provided, 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; 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.01 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. Sell or 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, pencil, gas bomb or gas pistol except as provided in 12A.14.090.

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 30th day of September, 1952, and signed by me in open session in publication of its passage this 30th day of September, 1952.

President, Era. Term of the City Council. Approved by me this 30th day of September, 1952.

Filed by me this 30th day of September, 1952. Mayor.

Attest: Jim Hill, City Comptroller and City Clerk.

(SEAL)

By: Theresa Dunbar, Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of Original Publication in the Daily Journal of Commerce, Seattle, October 7, 1952. (C-257)

C-257

### 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. 110785**

was published on **October 7, 1982**

*[Signature]*  
Subscribed and sworn to before me on

**October 7, 1982**

*[Signature]*  
Notary Public for the State of Washington,  
residing in Seattle.