



SEATTLE CITY COUNCIL

Legislative Summary

CB 118436

Record No.: CB 118436

Type: Ordinance (Ord)

Status: Passed

Version: 1

124834

In Control: City Clerk

File Created: 07/08/2015

Final Action: 08/21/2015

Title: AN ORDINANCE requiring the reporting of lost and stolen firearms; and creating a new Chapter 10.78 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess, Bagshaw, Godden, Harrell,
Licata, O'Brien, Okamoto,
Rasmussen, Sawant

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: jodee.schwinn@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	07/08/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	07/08/2015	sent for review	Education and Governance Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Education and Governance Committee						
1	Full Council	07/13/2015	referred	Education and Governance Committee			
1	Education and Governance Committee	07/15/2015					
1	Education and Governance Committee	08/05/2015	pass				Pass
	Action Text: The Committee recommends that Full Council pass the Council Bill (CB).						
	Notes:						
	In Favor: 3 Chair Burgess, Vice Chair Bagshaw, Member Okamoto						
	Opposed: 0						

- 1 Full Council 08/10/2015 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
- Notes:
- In Favor: 8 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Sawant
- Opposed: 0
- 1 City Clerk 08/11/2015 submitted for Mayor Mayor's signature
- Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:
- 1 Mayor 08/21/2015 Signed
- Action Text: The Council Bill (CB) was Signed.
- Notes:
- 1 Mayor 08/21/2015 returned City Clerk
- Action Text: The Council Bill (CB) was returned. to the City Clerk
- Notes:
- 1 City Clerk 08/21/2015 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
- Notes:
-

CITY OF SEATTLE
ORDINANCE 124834
COUNCIL BILL 118436

AN ORDINANCE requiring the reporting of lost and stolen firearms; and creating a new Chapter 10.78 of the Seattle Municipal Code.

WHEREAS, the Seattle Police Department has taken 2,657 firearms into custody since January 2012 through the course of its regular duties; and

WHEREAS, crime statistics show guns play a significant role in many crimes against persons in Seattle, with crime reports indicating the involvement of a firearm in 69% of homicides, 17% of robbery incidents, and 8% of aggravated assaults that took place from January 2012 to May 2015; and

WHEREAS, several hundred thousand firearms are lost or stolen each year, many of which go unreported; and

WHEREAS, lost or stolen firearms are frequently involved in the commission of crimes; and

WHEREAS, laws that require the reporting of lost and stolen firearms to police promote public safety by enabling law enforcement to better track firearms used in the commission of a crime and illegal guns; and

WHEREAS, mandatory reporting requirements also help return lost guns to their rightful owners and protect gun owners from being wrongly implicated in crimes committed with lost or stolen guns; and

WHEREAS, a January 2011 national poll conducted by the firms Momentum Analysis and American Viewpoint for the organization Mayors Against Illegal Guns found that 94% of

1 the respondents favored mandatory reporting of lost and stolen firearms, with similarly
2 high levels of support among gun-owning households; and

3 WHEREAS, another nationwide poll conducted in May 2012 by the firm Luntz Global for
4 Mayors Against Illegal Guns likewise found strong, two-thirds support from gun owners
5 for a reporting requirement; and

6 WHEREAS, federal law currently requires licensed firearms dealers to report lost or stolen guns,
7 but the law does not extend to individual gun owners; and

8 WHEREAS, this ordinance does not impose criminal penalties on any person for any act or
9 omission, and is not intended to regulate the registration, licensing, possession, purchase,
10 sale, acquisition, transfer, discharge, or transportation of firearms, or any other element
11 relating to firearms or parts thereof, including ammunition and reloader components; and

12 WHEREAS, other states and local jurisdictions require the prompt reporting of lost and stolen
13 firearms; NOW, THEREFORE,

14 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

15 Section 1. A new Chapter 10.78 is added to the Seattle Municipal Code as follows:

16 **Chapter 10.78 LOST OR STOLEN FIREARMS**

17 **10.78.010 Reporting theft or loss of firearm required**

18 A. If a firearm is lost or stolen, the person who owned or was in possession of the
19 firearm shall report the theft or loss to the Seattle Police Department. The report shall be made
20 within 24 hours after the theft or loss is first discovered, and shall include to the extent known:

- 21 1. The firearm's caliber, make, model, manufacturer, and serial number;
- 22 2. Any other distinguishing number or identification mark on the firearm; and
- 23 3. The circumstances of the loss or theft, including the date, place, and manner.

1 B. On receipt of a report of a stolen or lost firearm under this section, the Seattle Police
2 Department shall enter into the National Crime Information Center Database the following
3 information, to the extent known:

4 1. The firearm's caliber, make, model, manufacturer, and serial number; and

5 2. Any other distinguishing number or identification mark on the firearm.

6 C. The failure to comply with subsection 10.78.010.A shall constitute a civil infraction
7 subject to a civil fine or forfeiture in accordance with Section 12A.02.080.
8

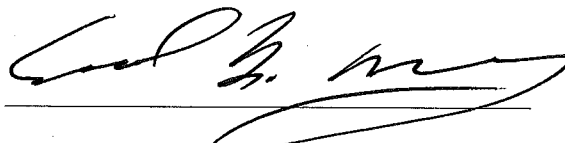
Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of AUGUST, 2015, and signed by me in open session in authentication of its passage this 10th day of AUGUST, 2015.



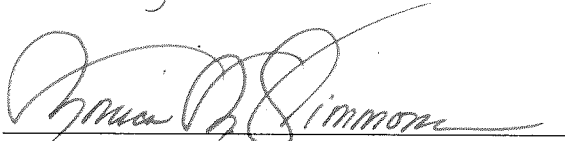
President _____ of the City Council

Approved by me this 24th day of AUGUST, 2015.



Edward B. Murray, Mayor

Filed by me this 21st day of AUGUST, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

BILL SUMMARY & FISCAL NOTE

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative	Nate Van Duzer/4-8806	NA

1. BILL SUMMARY

Legislation Title: AN ORDINANCE requiring the reporting of lost and stolen firearms; and creating a new Chapter 10.78 of the Seattle Municipal Code.

Summary and background of the Legislation:

This legislation requires individuals to report to the Seattle Police Department when firearms they owned have been lost or stolen. The report shall be made within 24 hours after the theft or loss is first discovered. Failure to comply with this requirement shall be a civil infraction subject to a fine of up to \$500.

Background

Federal law currently requires firearms businesses with a federal license to report lost or stolen guns, but the law does not extend to individual gun owners. Illegal guns pose a threat to public safety in Seattle. The Seattle Police Department has taken 2,657 firearms into custody since January 2012 through the course of its regular duties. Crime statistics show guns play a significant role in many crimes against persons in Seattle, with crime reports indicating the involvement of a firearm in 69% of homicides, 17% of robbery incidents and 8% of aggravated assaults that took place from January 2012 to May 2015.

Reporting requirements promote public safety by enabling law enforcement to better track the flow of illegal guns, returning lost guns to their rightful owners, and protecting gun owners from being implicated in crimes committed with lost or stolen guns. Two different national polls from 2011 and 2012 found strong support for mandatory reporting of lost or stolen guns among both the general public and gun owners.

2. CAPITAL IMPROVEMENT PROGRAM

 This legislation creates, funds, or amends a CIP Project.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Cost:

3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

- ☐ This legislation has direct financial implications.
- ☒ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**
Gun violence carries substantial costs to its victims and society at large. Every effort that reduces the probability of gun violence from taking place will save lives and money.
- b) **Is there financial cost or other impacts of not implementing the legislation?**
Public Health of Seattle & King County estimated the total economic costs of firearm deaths and injuries in the County to average \$181 million per year from 2009-2013.
- c) **Does this legislation affect any departments besides the originating department?**
The Seattle Police Department will be responsible for logging reports of lost or stolen guns.
- d) **Is a public hearing required for this legislation?**
No
- e) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No
- f) **Does this legislation affect a piece of property?**
No
- g) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**
Interpersonal gun violence takes a particular toll on communities of color; young African American men are most acutely at risk. Efforts to reduce opportunities for gun violence in our community will benefit this population.
- h) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**
NA
- i) **Other Issues:**

List attachments below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

327873

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

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.

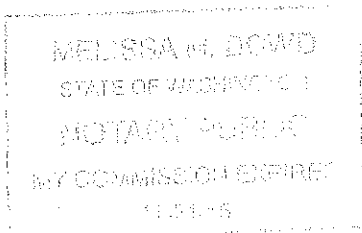
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

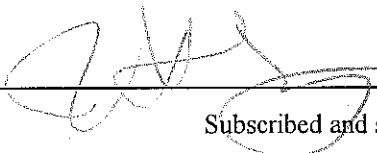
CT:124826-834 TITLE ONLY

was published on

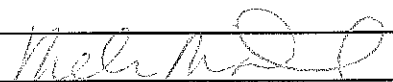
08/26/15

The amount of the fee charged for the foregoing publication is the sum of \$166.32 which amount has been paid in full.




Subscribed and sworn to before me on

08/26/2015


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on August 10, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8544.

Ordinance 124826

AN ORDINANCE authorizing the Mayor to execute an Interlocal Agreement between the City of Seattle, Washington, and the North Highline Fire District that outlines the terms and conditions of payments to the North Highline Fire District to mitigate the financial impacts associated with the City of Seattle's annexation of the Duwamish Annexation Area.

Ordinance 124827

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ordinance 124828

AN ORDINANCE related to the Seattle Preschool Program; approving a Comprehensive Evaluation Strategy as required by Resolution 31527.

Ordinance 124829

AN ORDINANCE relating to gender identity and all-gender single-occupant restrooms in Seattle; amending the definition of "gender identity" in Sections 14.04.030, 14.06.020, 14.08.020, and 14.10.020 of the Seattle Municipal Code; amending the definition of "place of public accommodation" in Section 14.06.020 of the Seattle Municipal Code; amending Section 14.06.030 of the Seattle Municipal Code to clarify the right of individuals to use gender-specific facilities consistent with their gender identity; and adding a new Chapter 14.07 to the Seattle Municipal Code providing for all-gender restrooms in City-controlled buildings and places of public accommodation and prescribing enforcement procedures.

Ordinance 124830

AN ORDINANCE relating to the coordination of regional green business programs; authorizing the Directors of the Office of Economic Development, Seattle Public Utilities, and the Office of Sustainability and Environment, and the General Manager and Chief Executive Officer of the City Light Department, or their respective designees, to execute a memorandum of agreement between The City of Seattle, King County, by its Department of Natural Resources and Parks, the City of Bellevue, the City of Kirkland, Snohomish County, Puget Sound Energy, and Public Utility District No. 1 of Snohomish County, Washington to establish a regional green business program that coordinates and provides information about environmental sustainability services offered by all parties to the memorandum of agreement; authorizing the Director of the Office of Economic Development to accept funds under the memorandum of agreement, and appropriating and authorizing the disbursement of such funds in support of the regional green business program; increasing appropriations in the 2015 Adopted Budget for The City of Seattle's Office of Economic Development; and ratifying and confirming prior acts, all by a 3/4 vote of the City Council.

Ordinance 124831

AN ORDINANCE relating to the sale of City real property for residential development; authorizing the sale of the site located at 6th Avenue and Yesler Way to Stream Real Estate, LLC; authorizing the Director of Housing to execute, deliver, and administer the contract for sale of land, deed, and related documents; authorizing other actions related to the disposition and use of the property; and ratifying and confirming certain prior acts.

Ordinance 124832

AN ORDINANCE relating to the ground lease between The City of Seattle and Experience Music Project authorized under Ordinance 118336; authorizing the Seattle Center Director to execute a second amendment to the ground lease.

Ordinance 124833

AN ORDINANCE related to imposing a tax on engaging in the business of making retail sales of firearms and ammunition; amending Sections 5.30.010, 5.30.060, 5.55.010, 5.55.040, 5.55.060, 5.55.150, 5.55.165, 5.55.220, and 5.55.230 of the Seattle Municipal Code; and adding a new Chapter 5.50 to the Seattle Municipal Code.

Ordinance 124834

AN ORDINANCE requiring the reporting of lost and stolen firearms; and creating a new Chapter 10.78 of the Seattle Municipal Code.