

ORDINANCE NO. 1157

AN ORDINANCE RELATING TO AND REGULATING THE SALE OF PISTOLS IN THE CITY OF KIRKLAND; DEFINING OFFENSES, AND PRESCRIBING PENALTIES.

THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON, do ordain as follows:

Section 1. The following words and phrases used herein shall be construed as follows:

- A. "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, but shall not include antique pistols or revolvers manufactured prior to 1898 and held as collector's items.
- B. "Crime of violence" means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.
- C. "Fugitive from justice" means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest.
- D. "Law enforcement officer" means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses.

Section 2. It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or shall present clear evidence of his identity, nor without completing a true record in triplicate of every pistol sold or disposed of. Such record shall be personally signed by the purchaser and by the

person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he is not a fugitive from justice and that he has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution. One copy shall within six hours be sent by registered mail to the chief of police of the City of Kirkland who shall, within seventy-two hours, exclusive of Sundays and holidays, investigate the information contained in said record and report his findings to the merchant or secondhand dealer.

Section 3. It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser until said merchant or secondhand dealer has received a report from the Chief of Police that said purchaser is not a fugitive from justice and that said purchaser has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness and has never been confined to a mental institution; provided, that if such merchant or secondhand dealer does not receive such report from the Chief of Police within seventy-two hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the Chief of Police as required by Section 2, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

Section 4. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Section 5. Any person violating or failing to comply with any of the provisions of this ordinance, shall upon conviction thereof be fined in a sum of not to exceed \$500.00 or imprisoned in the City Jail for a term of not to exceed 180 days, or both so fined

and imprisoned.

Section 6. This ordinance shall be in force and take effect five (5) days from and after its passage by the Council and publication as required by law.

PASSED by the City Council at regular meeting on the 17th day of June, 1968.

SIGNED in authentication thereof on the 17th day of June, 1968.

Lee Lanham
Mayor

Attest:

Tom J. Hudson
Director of Administration and Finance
(ex officio City Clerk)

Approved as for form:

Raymond
City Attorney