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Title: AN ORDINANCE relating to property management by the King County sheriff's office; and amending Ordinance 10767, Sections 1 through 5, as amended, and K.C.C. 2.16.062.

Sponsors: Kathy Lambert

Indexes: Sheriff

Code sections:

Attachments: 1. Ordinance 17897.pdf, 2. Staff Report 2014-0384 KCSO property management SR final.doc, 3. Staff Report - KCSO property management(9-17-14).doc

Date	Ver.	Action By	Action	Result
9/22/2014	1	Metropolitan King County Council	Hearing Held	
9/22/2014	1	Metropolitan King County Council	Passed	Pass
9/17/2014	1	Law, Justice, Health and Human Services Committee	Recommended Do Pass Consent	Pass
9/9/2014	1	Law, Justice, Health and Human Services Committee	Deferred	
9/8/2014	1	Metropolitan King County Council	Introduced and Referred	

Clerk 09/04/2014

AN ORDINANCE relating to property management by the King County sheriff's office; and amending Ordinance 10767, Sections 1 through 5, as amended, and K.C.C. 2.16.062.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10767, Sections 1 through 5, as amended, and K.C.C. 2.16.062, are each hereby amended to read as follows:

A. The ((D))definitions((:)) in this subsection apply throughout this section unless the context clearly requires otherwise.

1. "Antique firearms" means those firearms as defined by RCW 9.41.150 and firearms recognized as

curios, relics, and firearms of particular historical significance by the United States treasury department bureau of alcohol, tobacco and firearms.

2. "Machine gun" means any firearm, weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

3. "Rifles and ~~((S))~~shotguns" means any firearm with a barrel length of twelve inches or longer, but shall not include machine guns ~~((as defined in this section))~~.

4. "Surplus firearms" means any firearm previously purchased, or converted to official use in accordance with RCW 63.40.010 by King County for use by the department of public safety or department of adult detention that are no longer serviceable or will become surplus as a result of those departments upgrading to newer weapons for duty service.

5. For purposes of this section only, "Handguns of potential value" means any handgun:

a. accepted as a duty weapon, or any type, make, model, and calibers normally used by law enforcement, ~~((f.e.))~~ that is, caliber .380 or larger~~((+and,))~~;

b. manufactured after 1945 which has a current version in production after 1975, and would have a "new" retail replacement cost in excess of two hundred dollars each~~((, and,))~~;

c. conditioned to operate legally and safely~~((, and,))~~;

d. graded as "Good" or better according to National Rifle Association grading scales~~((, and,))~~;

e. valued at one hundred fifty dollars or more retail~~((,))~~; and~~((,))~~

f. manufactured by Smith and Wesson, Colt, Ruger, Beretta, Browning, Walther, Sig/Sauer, Heckler & Koch, Glock, Dan Wesson, and Detonics.

6. Handguns manufactured by Charter Arms, Harrington and Richardson, Rohm/RG, Rossi, Taurus, Iver Johnson, High Standard and other similar lower value weapons, handguns considered as "assault" type

handguns such as the Ingram/Cobray/RPB models M-10 or M-11, Intratec Tech 9, Wilkinson "Linda" or "Diane" and other similar rapid fire semi-automatic handguns normally manufactured and intended to use magazines with capacities in excess of 20 rounds, or handguns manufactured by another but sold under "house" names by department stores and/or discount stores, and/or all handguns caliber .25ACP or smaller with barrels less than 4" in length, and, which are not classified as curios, relics, or collectors arms per the list maintained by the United States treasury department, bureau of alcohol, tobacco and firearms, do not have potential value.

B. Inventory, destruction and disposition. Within thirty (~~((30))~~) days of May 7, 1993, the sheriff shall have prepared an inventory of every firearm that has been judicially forfeited, that has been seized and may be subject to judicial forfeiture, or that has been, or may be, forfeited due to a failure to make a claim under RCW 63.32.010, 63.35.020(~~(())~~) or 63.40.010, or that is no longer needed for evidence. (~~((This))~~) The inventory shall be updated annually and include a report on the destruction and disposal of firearms included in the inventory. The sheriff shall destroy every firearm in the inventory, according to the plan in (~~((paragraph))~~) subsection C. of this section as approved by the council(~~(())~~), (~~((E))~~)except that:

1. The sheriff may retain legally forfeited firearms solely for agency use(~~(())~~);
2. The sheriff (~~((shall))~~) may trade, auction, or arrange for the auction of rifles and shotguns(~~(())~~);
3. Antique firearms are exempt from destruction and shall be disposed of by auction or trade to commercial sellers(~~(())~~); and
4. Surplus weapons and weapons of potential value may be offered as trade-in to law enforcement equipment dealers for the sole purpose of acquiring new handguns for duty use by commissioned members of the department of public safety or department of adult detention. If not offered as trade-in, they shall be destroyed.

C. Report required. The sheriff shall submit a report to the council within thirty (~~((30))~~) days on the inventory of firearms under (~~((paragraph))~~) subsection B. of this section, which shall include a plan for the destruction or disposal of all firearms in the inventory.

~~((D. Effective date. This shall take effect upon January 6, 1994.~~

~~E. Severability. If any provision of this section or its application to any person or circumstance is held invalid, the remainder of the section or the application of the provision to other persons or circumstances is not affected.))~~