

State Laws and Published Ordinances – Washington
Statutes current through 2019 Regular Session and the 2019 general election.

Office of the Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
Voice: (360) 753-6200
<https://www.atg.wa.gov/>



Seattle Field Division
1521 1st Avenue South, Suite
600
Seattle, WA 98134
Voice: (206) 204-3205
<https://www.atf.gov/seattle-field-division>



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Blaine	Kenmore	Squaxin Island Tribe
Bonny Lake	Kennewick	Sumas
Buckley	Kent	Sumner
Camas	Lacey	Thurston County
Cheney	Langley	Washougal
Concrete	Longview	Westport
Connell	Lynnwood	Whitman
Coupeville	Newcastle	Woodland
Des Moines	Normandy Park	Yacolt
Edmonds	Olympia	Yakima
Entiat	Pierce County	Yakima County
Ephrata	Raymond	Yelm

Title 7 – Special Proceedings and Actions
Chapter 7.94 – Extreme Risk Protection Order Act

Section 7.94.090. Firearms — Surrender.

- (1) Upon issuance of any extreme risk protection order under this chapter, including an ex parte extreme risk protection order, the court shall order the respondent to surrender to the local law enforcement agency all firearms in the respondent's custody, control, or possession and any concealed pistol license issued under RCW 9.41.070.
- (2) The law enforcement officer serving any extreme risk protection order under this chapter, including an ex parte extreme risk protection order, shall request that the respondent immediately surrender all firearms in his or her custody, control, or possession and any concealed pistol license issued under RCW 9.41.070, and conduct any search permitted by law for such firearms. The law enforcement officer shall take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. Alternatively, if personal service by a law enforcement officer is not possible, or not required because the respondent was present at the extreme risk protection order hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within forty-eight hours of being served with the order by alternate service or within forty-eight hours of the hearing at which the respondent was present.
- (3) At the time of surrender, a law enforcement officer taking possession of a firearm or concealed pistol license shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. Within seventy-two hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that his or her law enforcement agency retains a copy of the receipt.
- (4) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms as required by an order issued under this chapter, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms in his or her possession, custody, or control. If probable cause exists, the court shall issue a warrant describing the firearms and authorizing a search of the locations where the firearms are reasonably believed to be and the seizure of any firearms discovered pursuant to such search.
- (5) If a person other than the respondent claims title to any firearms surrendered pursuant to this section, and he or she is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm shall be returned to him or her, provided that:
- (a) The firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm; and
 - (b) The firearm is not otherwise unlawfully possessed by the owner.
- (6) Upon the issuance of a one-year extreme risk protection order, the court shall order a new hearing date and require the respondent to appear not later than three judicial days from the issuance of the order. The court shall require a showing that the person subject to the order has surrendered any firearms in his or her custody, control, or possession. The court may dismiss the hearing upon a satisfactory showing that the respondent is in compliance with the order.

Section 7.94.100. Firearms — Return — Disposal.

- (1) If an extreme risk protection order is terminated or expires without renewal, a law enforcement agency holding any firearm that has been surrendered pursuant to this chapter shall return any surrendered firearm requested by a respondent only after confirming, through a background check, that the respondent is currently eligible to own or possess firearms under federal and state law and after confirming with the court that the extreme risk protection order has terminated or has expired without renewal.
- (2) A law enforcement agency must, if requested, provide prior notice of the return of a firearm to a respondent to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.
- (3) Any firearm surrendered by a respondent pursuant to RCW 7.94.090 that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

Title 9 – Crimes and Punishments
Chapter 9.41 – Firearms and Dangerous Weapons

Section 9.41.010. Terms defined.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "**Antique firearm**" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock,

percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(4) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: 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 forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(5) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(6) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(7) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(8) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(9) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(10) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(11) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(12) "Gun" has the same meaning as firearm.

(13) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(14) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(15) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

(16) "**Licensed dealer**" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(17) "**Loaded**" means:

- (a) There is a cartridge in the chamber of the firearm;
- (b) Cartridges are in a clip that is locked in place in the firearm;
- (c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;
- (d) There is a cartridge in the tube or magazine that is inserted in the action; or
- (e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(18) "**Machine gun**" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other 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 the firearm, mechanism, or instrument, and fired therefrom at the rate of 5 or more shots per second.

(19) "**Manufacture**" means, with respect to a firearm, the fabrication or construction of a firearm.

(20) "**Nonimmigrant alien**" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

(21) "**Person**" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(22) "**Pistol**" means any firearm with a barrel less than 16 inches in length, or is designed to be held and fired by the use of a single hand.

(23) "**Rifle**" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(24) "**Sale**" and "**sell**" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(25) "**Secure gun storage**" means:

- (a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and
- (b) The act of keeping an unloaded firearm stored by such means.

(26) "**Semiautomatic assault rifle**" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

"Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(27) "**Serious offense**" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least 10 years;
- (c) Child molestation in the second degree;
- (d) Incest when committed against a child under age 14;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Drive-by shooting;
- (j) Sexual exploitation;
- (k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

(28) "Short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than 26 inches.

(29) "Short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than 26 inches.

(30) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(31) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

(32) "Undetectable firearm" means any firearm that is not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-through metal detectors or magnetometers commonly used at airports or any firearm where the barrel, the slide or cylinder, or the frame or receiver of the firearm would not generate an image that accurately depicts the shape of the part when examined by the types of X-ray machines commonly used at airports.

(33) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

(34) "Untraceable firearm" means any firearm manufactured after July 1, 2019, that is not an antique firearm and that cannot be traced by law enforcement by means of a serial number affixed to the firearm by a federally licensed manufacturer or importer.

Section 9.41.040. Unlawful possession of firearms – Ownership, possession by certain persons – Restoration of right to possess – Penalties.

(1)

(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree, if the person owns, has in his or her possession, or has in his or her control any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense as defined in this chapter.

(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(2)

(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, has in his or her possession, or has in his or her control any firearm:

(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040);

(ii) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of harassment when committed by one family or household member against another, committed on or after June 7, 2018;

(iii) During any period of time that the person is subject to a court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99, 26.09, 26.10, 26.26A, 26.26B, or 26.50 RCW that:

(A) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;

(B) Restrains the person from harassing, stalking, or threatening the person protected under the order or child of the person or protected person, or engaging in other conduct that would place the protected person in reasonable fear of bodily injury to the protected person or child; and

(C)

(I) Includes a finding that the person represents a credible threat to the physical safety of the protected person or child; and by its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury; or **(II)** Includes an order under [RCW 9.41.800](#) requiring the person to surrender all firearms and prohibiting the person from accessing, obtaining, or possessing firearms; **(iv)** After having previously been involuntarily committed for mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(v) After dismissal of criminal charges based on incompetency to stand trial under RCW 10.77.088 when the court has made a finding indicating that the defendant has a history of one or more violent acts, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(vi) If the person is under eighteen years of age, except as provided in RCW 9.41.042; and/or

(vii) If the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense as defined in RCW 9.41.010.

(b) (a)(iii) of this subsection does not apply to a sexual assault protection order under chapter 7.90 RCW if the order has been modified pursuant to RCW 7.90.170 to remove any restrictions on firearm purchase, transfer, or possession.

(c) Unlawful possession of a firearm in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(3) Notwithstanding RCW 9.41.047 or any other provisions of law, as used in this chapter, a person has been "convicted", whether in an adult court or adjudicated in a juvenile court, at such time as a plea of guilty has been accepted, or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial or post-fact-finding motions, and appeals. Conviction includes a dismissal entered after a period of probation, suspension or deferral of sentence, and also includes equivalent dispositions by courts in jurisdictions other than Washington state. A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. Where no record of the court's disposition of the charges can be found, there shall be a rebuttable presumption that the person was not convicted of the charge.

(4)

(a) Notwithstanding subsection (1) or (2) of this section, a person convicted or found not guilty by reason of insanity of an offense prohibiting the possession of a firearm under this section other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401 and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction or finding of not guilty by reason of insanity. Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least twenty years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)

(A) If the conviction or finding of not guilty by reason of insanity was for a felony offense, after five or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525; or

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

(b) An individual may petition a court of record to have his or her right to possess a firearm restored under (a) of this subsection (4) only at:

(i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or

(ii) The superior court in the county in which the petitioner resides.

(5) In addition to any other penalty provided for by law, if a person under the age of eighteen years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) or (2) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the department of licensing within twenty-four hours and the person's privilege to drive shall be revoked under RCW 46.20.265, unless the offense is the juvenile's first offense in violation of this section and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.52, 69.41, or 69.50 RCW.

(6) Nothing in chapter 129, Laws of 1995 shall ever be construed or interpreted as preventing an offender from being charged and subsequently convicted for the separate felony crimes of theft of a firearm or possession of a stolen firearm, or both, in addition to being charged and subsequently convicted under this section for unlawful possession of a firearm in the first or second degree. Notwithstanding any other law, if the offender is convicted under this section for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, then the offender shall serve consecutive sentences for each of the felony crimes of conviction listed in this subsection.

(7) Each firearm unlawfully possessed under this section shall be a separate offense.

Section 9.41.042. Children – Permissible firearm possession.

*RCW 9.41.040(2)(a)(iii) shall not apply to any person under the age of 18 years who is:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;

(3) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;

(4) Hunting or trapping under a valid license issued to the person under Title 77 RCW;

(5) In an area where the discharge of a firearm is permitted, is not trespassing, and the person either: (a) Is at least 14 years of age, has been issued a hunter safety certificate, and is using a lawful firearm other than a pistol; or (b) is under the supervision of a parent, guardian, or other adult approved for the purpose by the parent or guardian;

(6) Traveling with any unloaded firearm in the person's possession to or from any activity described in subsection (1), (2), (3), (4), or (5) of this section;

(7) On real property under the control of his or her parent, other relative, or legal guardian and who has the permission of the parent or legal guardian to possess a firearm;

(8) At his or her residence and who, with the permission of his or her parent or legal guardian, possesses a firearm for the purpose of exercising the rights specified in RCW 9A.16.020(3); or

(9) Is a member of the armed forces of the United States, national guard, or organized reserves, when on duty.

Section 9.41.045. Offenders under supervision of the department — Possession prohibited — Penalties.

As a sentence condition and requirement, offenders under the supervision of the department of corrections pursuant to chapter 9.94A RCW shall not own, use, or possess firearms or ammunition. In addition to any penalty imposed pursuant to RCW 9.41.040 when applicable, offenders found to be in actual or constructive possession of firearms or ammunition shall be subject to the appropriate violation process and sanctions as provided for in RCW 9.94A.633, 9.94A.716, or

9.94A.737. Firearms or ammunition owned, used, or possessed by offenders may be confiscated by community corrections officers and turned over to the Washington state patrol for disposal as provided in RCW 9.41.098.

Section 9.41.047. Persons found not guilty by reason of insanity and others — Possession rights.

(1)

(a) At the time a person is convicted or found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm, or at the time a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW for mental health treatment, or at the time that charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the convicting or committing court, or court that dismisses charges, shall notify the person, orally and in writing, that the person must immediately surrender any concealed pistol license and that the person may not possess a firearm unless his or her right to do so is restored by a court of record. For purposes of this section a convicting court includes a court in which a person has been found not guilty by reason of insanity.

(b) The court shall forward within three judicial days after conviction, entry of the commitment order, or dismissal of charges, a copy of the person's driver's license or identicard, or comparable information, along with the date of conviction or commitment, or date charges are dismissed, to the department of licensing. When a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for mental health treatment, or when a person's charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the court also shall forward, within three judicial days after entry of the commitment order, or dismissal of charges, a copy of the person's driver's license, or comparable information, along with the date of commitment or date charges are dismissed, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). The petitioning party shall provide the court with the information required. If more than one commitment order is entered under one cause number, only one notification to the department of licensing and the national instant criminal background check system is required.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the convicted or committed person, or the person whose charges are dismissed based on incompetency to stand trial, has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(3)

(a) A person who is prohibited from possessing a firearm, by reason of having been involuntarily committed for mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or by reason of having been detained under RCW 71.05.150 or 71.05.153 or because the person's charges were dismissed based on incompetency to stand trial under RCW 10.77.088 and the court made a finding that the person has a history of one or more violent acts, may, upon discharge, petition the superior court to have his or her right to possess a firearm restored.

(b) The petition must be brought in the superior court that ordered the involuntary commitment or dismissed the charges based on incompetency to stand trial or the superior court of the county in which the petitioner resides.

(c) Except as provided in (d) and (e) of this subsection, the court shall restore the petitioner's right to possess a firearm if the petitioner proves by a preponderance of the evidence that:

(i) The petitioner is no longer required to participate in court-ordered inpatient or outpatient treatment;

(ii) The petitioner has successfully managed the condition related to the commitment or detention or incompetency;

(iii) The petitioner no longer presents a substantial danger to himself or herself, or the public; and

(iv) The symptoms related to the commitment or detention or incompetency are not reasonably likely to recur.

(d) If a preponderance of the evidence in the record supports a finding that the person petitioning the court has engaged in violence and that it is more likely than not that the person will engage in violence after his or her right to possess a firearm is restored, the person shall bear the burden of proving by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

(e) If the petitioner seeks restoration after having been detained under [RCW 71.05.150](#) or [71.05.153](#), the state shall bear the burden of proof to show, by a preponderance of the evidence, that the petitioner does not meet the restoration criteria in (c) of this subsection.

(f) When a person's right to possess a firearm has been restored under this subsection, the court shall forward, within three judicial days after entry of the restoration order, notification that the person's right to possess a firearm has been

restored to the department of licensing, the health care authority, and the national instant criminal background check system index, denied persons file. In the case of a person whose right to possess a firearm has been suspended for six months as provided in section 1 of this act, the department of licensing shall forward notification of the restoration order to the licensing authority, which, upon receipt of such notification, shall immediately lift the suspension, restoring the license.

(4) No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.040(4).

Section 9.41.049. Persons who present likelihood of serious harm — Possession rights.

(1) When a designated crisis responder files a petition for initial detention under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, the petition shall include a copy of the person's driver's license or identicard or comparable information. If the person is not subsequently committed for involuntary treatment under RCW 71.05.240, the court shall forward within three business days of the probable cause hearing a copy of the person's driver's license or identicard, or comparable information, along with the date of release from the facility, to the department of licensing and to the state patrol, who shall forward the information to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). Upon expiration of the six-month period during which the person's right to possess a firearm is suspended as provided in RCW 71.05.182, the Washington state patrol shall forward to the national instant criminal background check system index, denied persons file, notice that the person's right to possess a firearm has been restored.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the detained person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority, which, upon receipt of such notification, shall immediately suspend the license for a period of six months from the date of the person's release from the facility.

(3) A person who is prohibited from possessing a firearm by reason of having been detained under RCW 71.05.150 or 71.05.153 may, upon discharge, petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

Section 9.41.080. Delivery to ineligible persons.

No person may deliver a firearm to any person whom he or she has reasonable cause to believe: (1) Is ineligible under RCW 9.41.040 to possess a firearm or (2) has signed a valid voluntary waiver of firearm rights that has not been revoked under RCW 9.41.350. Any person violating this section is guilty of a class C felony, punishable under chapter 9A.20 RCW.

Section 9.41.090. Dealer deliveries regulated – Hold on delivery. (Contingent expiration date.)

(1) In addition to the other requirements of this chapter, no dealer may deliver a pistol to the purchaser thereof until:

(a) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(b) The requirements or time periods in RCW 9.41.092 have been satisfied.

(2) In addition to the other requirements of this chapter, no dealer may deliver a semiautomatic assault rifle to the purchaser thereof until:

(a) The purchaser provides proof that he or she has completed a recognized firearm safety training program within the last five years that, at a minimum, includes instruction on:

(i) Basic firearms safety rules;

(ii) Firearms and children, including secure gun storage and talking to children about gun safety;

(iii) Firearms and suicide prevention;

(iv) Secure gun storage to prevent unauthorized access and use;

(v) Safe handling of firearms; and

(vi) State and federal firearms laws, including prohibited firearms transfers.

The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury the training included the minimum requirements; and

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a firearm under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(3)

(a) Except as provided in (b) of this subsection, in determining whether the purchaser meets the requirements of RCW 9.41.040, the chief of police or sheriff, or the designee of either, shall check with the national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 to possess a firearm.

(b) The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.

(4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol or semiautomatic assault rifle is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a firearm.

(5) In any case where the chief or sheriff of the local jurisdiction, or the state pursuant to subsection (3)(b) of this section, has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, or (e) an arrest for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a firearm, the local jurisdiction or the state may hold the sale and delivery of the pistol or semiautomatic assault rifle up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court, superior court, or municipal court for good cause shown. A dealer shall be notified of each hold placed on the sale by local law enforcement or the state and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

(6)

(a) At the time of applying for the purchase of a pistol or semiautomatic assault rifle, the purchaser shall sign in triplicate and deliver to the dealer an application containing:

(i) His or her full name, residential address, date and place of birth, race, and gender;

(ii) The date and hour of the application;

(iii) The applicant's driver's license number or state identification card number;

(iv) A description of the pistol or semiautomatic assault rifle including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol or semiautomatic assault rifle. If the manufacturer's number is not available at the time of applying for the purchase of a pistol or semiautomatic assault rifle, the application may be processed, but delivery of the pistol or semiautomatic assault rifle to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides, or the state pursuant to subsection (3)(b) of this section;

(v) A statement that the purchaser is eligible to purchase and possess a firearm under state and federal law; and

(vi) If purchasing a semiautomatic assault rifle, a statement by the applicant under penalty of perjury that the applicant has completed a recognized firearm safety training program within the last five years, as required by subsection (2) of this section.

(b) The application shall contain two warnings substantially stated as follows:

(i) CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution; and

(ii) CAUTION: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms and firearms safety.

(c) The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsections (1) and (2) of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to subsection (3)(b) of this section. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol or semiautomatic assault rifle to the purchaser following the period of time specified in this chapter unless the dealer is notified of an investigative hold under subsection (5) of this section in writing by the chief of police of the municipality, the sheriff of the county, or the state, whichever is applicable, or of the denial of the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser is not eligible to purchase or possess the firearm under state or federal law.

(d) The chief of police of the municipality or the sheriff of the county, or the state pursuant to subsection (3)(b) of this section, shall retain or destroy applications to purchase a pistol or semiautomatic assault rifle in accordance with the requirements of 18 U.S.C. Sec. 922.

(7)

(a) To help offset the administrative costs of implementing this section as it relates to new requirements for semiautomatic assault rifles, the department of licensing may require the dealer to charge each semiautomatic assault rifle purchaser or transferee a fee not to exceed twenty-five dollars, except that the fee may be adjusted at the beginning of each biennium to levels not to exceed the percentage increase in the consumer price index for all urban consumers, CPI-W, or a successor index, for the previous biennium as calculated by the United States department of labor.

(b) The fee under (a) of this subsection shall be no more than is necessary to fund the following:

(i) The state for the cost of meeting its obligations under this section;

(ii) The health care authority, mental health institutions, and other health care facilities for state-mandated costs resulting from the reporting requirements imposed by RCW 9.41.097(1); and

(iii) Local law enforcement agencies for state-mandated local costs resulting from the requirements set forth under RCW 9.41.090 and this section.

(8) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm is guilty of false swearing under RCW 9A.72.040.

(9) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

NOTES:

Contingent expiration date—2019 c 244: "(1) Section 1, chapter 244, Laws of 2019 expires June 30, 2022, if the contingency in subsection (2) of this section does not occur by December 31, 2021, as determined by the Washington state patrol.

(2) Section 1, chapter 244, Laws of 2019 expires six months after the date on which the Washington state patrol determines that a single point of contact firearm background check system, for purposes of the federal Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), is operational in the state.

(3) If section 1, chapter 244, Laws of 2019 expires pursuant to subsection (2) of this section, the Washington state patrol must provide written notice of the expiration to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the Washington state patrol." [2019 c 244 § 2.]

Section 9.41.092. Licensed dealer deliveries – Background checks.

(1) Except as otherwise provided in this chapter and except for semiautomatic assault rifles under subsection (2) of this section, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

(a) The results of all required background checks are known and the purchaser or transferee (i) is not prohibited from owning or possessing a firearm under federal or state law and (ii) does not have a voluntary waiver of firearm rights currently in effect; or

(b) Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, then the time period in this subsection shall be extended from ten business days to sixty days.

(2) Except as otherwise provided in this chapter, a licensed dealer may not deliver a semiautomatic assault rifle to a purchaser or transferee until ten business days have elapsed from the date of the purchase application or, in the case of a transfer, ten business days have elapsed from the date a background check is initiated.

Section 9.41.100. Dealer licensing and registration required.

Every dealer shall be licensed as provided in RCW 9.41.110 and shall register with the department of revenue as provided in chapters 82.04 and 82.32 RCW.

Section 9.41.110. Dealer's licenses, by whom granted, conditions, fees – Employees, fingerprinting and background checks – Wholesale sales excepted – Permits prohibited.

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing effective for not more than 1 year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in RCW 9.41.010 through 9.41.810. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section.

(5)

(a) A licensing authority shall, within 30 days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive 90 days, the licensing authority shall have up to 60 days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check. An employee must be eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of pistols or semiautomatic assault rifles that are applicable to dealers.

(6)

(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection (6)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle. In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and 9.41.110. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

(7) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

(8)

(a) No pistol or semiautomatic assault rifle may be sold: (i) In violation of any provisions of RCW 9.41.010 through 9.41.810; nor (ii) may a pistol or semiautomatic assault rifle be sold under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his or her identity.

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be \$125. The license fee for firearms other than pistols shall be \$125. The license fee for ammunition shall be \$125. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee.

(9)

(a) A true record in triplicate shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and 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 or she is not ineligible under state or federal law to possess a firearm.

(b) One copy shall within 6 hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident; or the state pursuant to RCW 9.41.90; the duplicate the dealer shall within 7 days send to the director of licensing; the triplicate the dealer shall retain for 6 years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

(12) Except as provided in RCW 9.41.090, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

Section 9.41.113. Firearm sales or transfers – Background checks – Requirements – Exceptions.

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

(a) The person is a licensed dealer;

(b) The purchaser or transferee is a licensed dealer; or

(c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements, and complying with the specific requirements and restrictions on semiautomatic assault rifles in chapter 3, Laws of 2019.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

(f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;

(g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance; (iv) to a person who is under 18 years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; or (v) under circumstances in which the transferee and the firearm remain in the presence of the transferor; or (vi) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law; or

(h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding 60 days. At the end of the 60-day period, the person must either have lawfully transferred the pistol or must have contacted the department of licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws.

(i) A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

Section 9.41.122. Out-of-state purchasing.

Residents of Washington may purchase rifles and shotguns in a state other than Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such purchase is made: AND PROVIDED FURTHER, That when any part of the transaction takes place in Washington, including, but not limited to, internet sales, such residents are subject to the procedures and background checks required by this chapter.

Section 9.41.124. Purchasing by nonresidents.

Residents of a state other than Washington may purchase rifles and shotguns, except those firearms defined as semiautomatic assault rifles, in Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such persons reside: AND PROVIDED FURTHER, That such residents are subject to the procedures and background checks required by this chapter.

Section 9.41.140. Alteration of identifying marks – Exceptions.

No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

Section 9.41.171. Alien possession of firearms – Requirements – Penalty.

It is a class C felony for any person who is not a citizen of the United States to carry or possess any firearm, unless the person: (1) Is a lawful permanent resident; (2) has obtained a valid alien firearm license pursuant to RCW 9.41.173; or (3) meets the requirements of RCW 9.41.175.

Section 9.41.173. Alien possession of firearms – Alien firearm license – Political subdivisions may not modify requirements – Penalty for false statement.

(1) In order to obtain an alien firearm license, a nonimmigrant alien residing in Washington must apply to the sheriff of the county in which he or she resides.

(2) The sheriff of the county shall within sixty days after the filing of an application of a nonimmigrant alien residing in the state of Washington, issue an alien firearm license to such person to carry or possess a firearm for the purposes of hunting and sport shooting. The license shall be good for two years. The issuing authority shall not refuse to accept completed applications for alien firearm licenses during regular business hours. An application for a license may not be denied, unless the applicant's alien firearm license is in a revoked status, or the applicant:

- (a) Is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045;
- (b) Is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or 26.26A.470;
- (c) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; or
- (d) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

No license application shall be granted to a nonimmigrant alien convicted of a felony unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or unless RCW 9.41.040 (3) or (4) applies.

(3) The sheriff shall check with the national crime information center, the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, description, a complete set of fingerprints, and signature of the applicant, a copy of the applicant's passport and visa showing the applicant is in the country legally, and a valid Washington hunting license or documentation that the applicant is a member of a sport shooting club.

A signed application for an alien firearm license shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for an alien firearm license to an inquiring court or law enforcement agency.

The application for an original license shall include a complete set of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law. The application shall contain questions about the applicant's eligibility under RCW 9.41.040 to possess a firearm. The nonimmigrant alien applicant shall be required to produce a passport and visa as evidence of being in the country legally.

The license may be in triplicate or in a form to be prescribed by the department of licensing. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an online format, all information received under this section.

(5) The sheriff has the authority to collect a nonrefundable fee, paid upon application, for the two-year license. The fee shall be fifty dollars plus additional charges imposed by the Washington state patrol and the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license. The fee shall be retained by the sheriff.

(6) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the sheriff.

(7) A political subdivision of the state shall not modify the requirements of this section, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(8) A person who knowingly makes a false statement regarding citizenship or identity on an application for an alien firearm license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the alien firearm license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for an alien firearm license.

Section 9.41.175. Alien possession of firearms – Possession without license – Conditions.

(1) A nonimmigrant alien, who is not a resident of Washington or a citizen of Canada, may carry or possess any firearm without having first obtained an alien firearm license if the nonimmigrant alien possesses:

(a) A valid passport and visa showing he or she is in the country legally;

(b) If required under federal law, an approved United States department of justice ATF-6 NIA application and permit for temporary importation of firearms and ammunition by nonimmigrant aliens; and

(c)

(i) A valid hunting license issued by a state or territory of the United States; or

(ii) An invitation to participate in a trade show or sport shooting event being conducted in this state, another state, or another country that is contiguous with this state.

(2) A citizen of Canada may carry or possess any firearm so long as he or she possesses:

(a) Valid documentation as required for entry into the United States;

(b) If required under federal law, an approved United States department of justice ATF-6 NIA application and permit for temporary importation of firearms and ammunition by nonimmigrant aliens; and

(c)

(i) A valid hunting license issued by a state or territory of the United States; or

(ii) An invitation to participate in a trade show or sport shooting event being conducted in this state, another state, or another country that is contiguous with this state.

(3) For purposes of subsections (1) and (2) of this section, the firearms may only be possessed for the purpose of using them in the hunting of game while such persons are in the act of hunting, or while on a hunting trip, or while such persons are competing in a bona fide trap or skeet shoot or any other organized contest where rifles, pistols, or shotguns are used. Nothing in this section shall be construed to allow aliens to hunt or fish in this state without first having obtained a regular hunting or fishing license.

Section 9.41.190. Unlawful firearms – Exceptions.

(1) Except as otherwise provided in this section, it is unlawful for any person to:

(a) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle;

(b) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any part designed and intended solely and exclusively for use in a machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle;

(c) Assemble or repair any machine gun, bump-fire stock, undetectable firearm, short-barreled shotgun, or short-barreled rifle; or

(d) Manufacture an untraceable firearm with the intent to sell the untraceable firearm.

(2) It is not unlawful for a person to manufacture, own, buy, sell, loan, furnish, transport, assemble, or repair, or have in possession or under control, a short-barreled rifle, or any part designed or intended solely and exclusively for use in a short-barreled rifle or in converting a weapon into a short-barreled rifle, if the person is in compliance with applicable federal law.

(3) Subsection (1) of this section shall not apply to:

(a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or

(b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, bump-fire stocks, short-barreled shotguns, or short-barreled rifles:

(i) To be used or purchased by the armed forces of the United States;

(ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or

(iii) For exportation in compliance with all applicable federal laws and regulations.

(4) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

(5) Any person violating this section is guilty of a class C felony.

Section 9.41.220. Unlawful firearms and parts contraband.

All machine guns, bump-fire stocks, undetectable firearms, short-barreled shotguns, or short-barreled rifles, or any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle, illegally held or illegally possessed are hereby declared to be contraband, and it shall be the duty of all peace officers, and/or any officer or member of the armed forces of the United States or the state of Washington, to seize said machine gun, bump-fire stock, undetectable firearms, short-barreled shotgun, or short-barreled rifle, or parts thereof, wherever and whenever found.

Section 9.41.240. Possession of pistol or semiautomatic assault rifle by person from eighteen to twenty-one.

(1) A person under twenty-one years of age may not purchase a pistol or semiautomatic assault rifle, and except as otherwise provided in this chapter, no person may sell or transfer a semiautomatic assault rifle to a person under twenty-one years of age.

(2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060 applies, a person at least 18 years of age, but less than 21 years of age, may possess a pistol only:

(a) In the person's place of abode;

(b) At the person's fixed place of business; or

(c) On real property under his or her control.

(3) Except in the places and situations identified in RCW 9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at least eighteen years of age, but less than twenty-one years of age, may possess a semiautomatic assault rifle only:

(a) In the person's place of abode;

(b) At the person's fixed place of business;

(c) On real property under his or her control; or

(d) For the specific purpose of (i) moving to a new place of abode; (ii) traveling between the person's place of abode and real property under his or her control; or (iii) selling or transferring the firearm in accordance with the requirements

of this chapter; provided that in all of these situations the semiautomatic assault rifle is unloaded and either in secure gun storage or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

Section 9.41.280. Possessing dangerous weapons on school facilities — Penalty — Exceptions.

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

- (a)** Any firearm;
- (b)** Any other dangerous weapon as defined in RCW 9.41.250;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any revoked for a period of three years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state's public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation.

Upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating subsection (1)(a) of this section, the person shall be detained or confined in a juvenile or adult facility for up to seventy-two hours. The person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the designated crisis responder unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Within twenty-four hours of the arrest, the arresting law enforcement agency shall refer the person to the designated crisis responder for examination and evaluation under chapter 71.05 or 71.34 RCW and inform a parent or guardian of the person of the arrest, detention, and examination. The designated crisis responder shall examine and evaluate the person subject to the provisions of chapter 71.05 or 71.34 RCW. The examination shall occur at the facility in which the person is detained or confined. If the person has been released on probation, bond, or bail, the examination shall occur wherever is appropriate.

Upon completion of any examination by the designated crisis responder, the results of the examination shall be sent to the court, and the court shall consider those results in making any determination about the person.

The designated crisis responder shall, to the extent permitted by law, notify a parent or guardian of the person that an examination and evaluation has taken place and the results of the examination. Nothing in this subsection prohibits the delivery of additional, appropriate mental health examinations to the person while the person is detained or confined.

If the designated crisis responder determines it is appropriate, the designated crisis responder may refer the person to the local behavioral health administrative services organization for follow-up services or other community providers for other services to the family and individual.

(3) Subsection (1) of this section does not apply to:

- (a)** Any student or employee of a private military academy when on the property of the academy;
- (b)** Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection (1)(f) of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;
- (c)** Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
- (d)** Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
- (e)** Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;
- (f)** Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

(g) Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

(h) Any law enforcement officer of the federal, state, or local government agency.

(6) Except as provided in subsection (3)(b), (c), (f), and (h) of this section, firearms are not permitted in a public or private school building.

(7) "GUN-FREE ZONE" signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

Section 9.41.360. Unsafe storage of a firearm.

(1) A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm:

(a) Is guilty of community endangerment due to unsafe storage of a firearm in the first degree if a prohibited person obtains access and possession of the firearm and causes personal injury or death with the firearm; or

(b) Is guilty of community endangerment due to unsafe storage of a firearm in the second degree if a prohibited person obtains access and possession of the firearm and:

(i) Causes the firearm to discharge;

(ii) Carries, exhibits, or displays the firearm in a public place in a manner that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; or

(iii) Uses the firearm in the commission of a crime.

(2)

(a) Community endangerment due to unsafe storage of a firearm in the first degree is a class C felony punishable according to chapter 9A.20 RCW.

(b) Community endangerment due to unsafe storage of a firearm in the second degree is a gross misdemeanor punishable according to chapter 9A.20 RCW.

(3) Subsection (1) of this section does not apply if:

(a) The firearm was in secure gun storage, or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm;

(b) In the case of a person who is a prohibited person on the basis of the person's age, access to the firearm is with the lawful permission of the prohibited person's parent or guardian and supervised by an adult, or is in accordance with RCW 9.41.042;

(c) The prohibited person obtains, or obtains and discharges, the firearm in a lawful act of self-defense; or

(d) The prohibited person's access to the firearm was obtained as a result of an unlawful entry, provided that the unauthorized access or theft of the firearm is reported to a local law enforcement agency in the jurisdiction in which the unauthorized access or theft occurred within five days of the time the victim of the unlawful entry knew or reasonably should have known that the firearm had been taken.

(4) If a death or serious injury occurs as a result of an alleged violation of subsection (1)(a) of this section, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law in question.

(5) For the purposes of this section, "**prohibited person**" means a person who is prohibited from possessing a firearm under state or federal law.

(6) Nothing in this section mandates how or where a firearm must be stored.

Section 9.41.365. Firearm security and storage — Requirements for dealers.

(1) When selling or transferring any firearm, every dealer shall offer to sell or give the purchaser or transferee a secure gun storage device, or a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

(2) Every store, shop, or sales outlet where firearms are sold, that is registered as a dealer in firearms with the department of licensing, shall conspicuously post, in a prominent location so that all patrons may take notice, the following warning sign, to be provided by the department of licensing, in block letters at least one inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(3) Every store, shop, or sales outlet where firearms are sold that is registered as a dealer in firearms with the department of licensing, upon the sale or transfer of a firearm, shall deliver a written warning to the purchaser or transferee that states, in block letters not less than one-fourth inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(4) Every person who violates this section is guilty of a class 1 civil infraction under chapter 7.80 RCW and may be fined up to two hundred fifty dollars. However, no such fines may be levied until thirty days have expired from the time warning signs required under subsection (2) of this section are distributed by the department of licensing.

Section 9.41.800. Surrender of weapons or licenses – Prohibition on future possession or licensing.

(1) Any court when entering an order authorized under chapter 7.92 RCW, RCW 7.90.090, 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or 26.26A.470 shall, upon a showing by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or is ineligible to possess a firearm under the provisions of RCW 9.41.040:

- (a)** Require that the party immediately surrender all firearms and other dangerous weapons;
- (b)** Require that the party immediately surrender any concealed pistol license issued under RCW 9.41.070;
- (c)** Prohibit the party from accessing, obtaining, or possessing any firearms or other dangerous weapons;
- (d)** Prohibit the party from obtaining or possessing a concealed pistol license.

(2) Any court when entering an order authorized under chapter 7.92 RCW, RCW 7.90.090, 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or 26.26A.470 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or is ineligible to possess a firearm under the provisions of RCW 9.41.040:

- (a)** Require that the party immediately surrender all firearms and other dangerous weapons;
- (b)** Require that the party immediately surrender a concealed pistol license issued under RCW 9.41.070;
- (c)** Prohibit the party from accessing, obtaining, or possessing any firearms or other dangerous weapons;
- (d)** Prohibit the party from obtaining or possessing a concealed pistol license.

(3) During any period of time that the person is subject to a court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99, 26.09, 26.10, 26.26A, 26.26B, or 26.50 RCW that:

- (a)** Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;
- (b)** Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
- (c)**

(i) Includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child; and

(ii) By its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury, the court shall:

- (A)** Require that the party immediately surrender all firearms and other dangerous weapons;
- (B)** Require that the party immediately surrender a concealed pistol license issued under RCW 9.41.070;
- (C)** Prohibit the party from accessing, obtaining, or possessing any firearms or other dangerous weapons; and
- (D)** Prohibit the party from obtaining or possessing a concealed pistol license.

(4) The court may order temporary surrender of all firearms and other dangerous weapons, and any concealed pistol license, without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(5) In addition to the provisions of subsections (1), (2), and (4) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(6) The requirements of subsections (1), (2), and (5) of this section may be for a period of time less than the duration of the order.

(7) The court may require the party to surrender all firearms and other dangerous weapons in his or her immediate possession or control or subject to his or her immediate possession or control, and any concealed pistol license issued under RCW 9A.41.070, to the local law enforcement agency. Law enforcement officers shall use law enforcement databases to assist in locating the respondent in situations where the protected person does not know where the respondent lives or where there is evidence that the respondent is trying to evade service.

(8) If the court enters a protection order, restraining order, or no-contact order that includes an order to surrender firearms, dangerous weapons, and any concealed pistol license under this section, the order must be served by a law enforcement officer.

Title 9A – Washington Criminal Code Chapter 9A.56 – Theft and Robbery

Section 9A.56.300. Theft of a firearm.

(1) A person is guilty of theft of a firearm if he or she commits a theft of any firearm.

(2) This section applies regardless of the value of the firearm taken in the theft.

(3) Each firearm taken in the theft under this section is a separate offense.

(4) The definition of "theft" and the defense allowed against the prosecution for theft under RCW 9A.56.020 shall apply to the crime of theft of a firearm.

(5) As used in this section, "**firearm**" means any firearm as defined in RCW 9.41.010.

(6) Theft of a firearm is a class B felony.

Section 9A.56.310. Possessing a stolen firearm.

(1) A person is guilty of possessing a stolen firearm if he or she possesses, carries, delivers, sells, or is in control of a stolen firearm.

(2) This section applies regardless of the stolen firearm's value.

(3) Each stolen firearm possessed under this section is a separate offense.

(4) The definition of "possessing stolen property" and the defense allowed against the prosecution for possessing stolen property under RCW 9A.56.140 shall apply to the crime of possessing a stolen firearm.

(5) As used in this section, "**firearm**" means any firearm as defined in RCW 9.41.010.

(6) Possessing a stolen firearm is a class B felony.

Title 71 – Mental Illness Chapter 71.05 Mental Illness

Section 71.05.182. Six-month suspension of right to possess firearms after seventy-two-hour detention for evaluation and treatment of person who presents likelihood of serious harm as a result of mental disorder, substance use disorder, or both — Automatic restoration of right at expiration of six-month period.

(1) A person who under RCW 71.05.150 or 71.05.153 has been detained at a facility for seventy-two-hour evaluation and treatment on the grounds that the person presents a likelihood of serious harm, but who has not been subsequently committed for involuntary treatment under RCW 71.05.240, may not have in his or her possession or control any firearm for a period of six months after the date that the person is detained.

(2) Before the discharge of a person who has been initially detained under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, but has not been subsequently committed for involuntary treatment under RCW 71.05.240, the designated crisis responder shall inform the person orally and in writing that:

(a) He or she is prohibited from possessing or controlling any firearm for a period of six months;

(b) He or she must immediately surrender, for the six-month period, any concealed pistol license and any firearms that the person possesses or controls to the sheriff of the county or the chief of police of the municipality in which the person is domiciled;

- (c)** After the six-month suspension, the person's right to control or possess any firearm or concealed pistol license shall be automatically restored, absent further restrictions imposed by other law; and
- (d)** Upon discharge, the person may petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

Title 9 – Crimes and Punishments
Chapter 9.41 – Firearms and Dangerous Weapons

Section 9.41.290. State preemption.

The state of Washington hereby fully occupies and preempts the entire field of firearms regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, and transportation of firearms, or any other element relating to firearms or parts thereof, including ammunition and reloader components. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to firearms that are specifically authorized by state law, as in RCW 9.41.300, and are consistent with this chapter. Such local ordinances shall have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such city, town, county, or municipality.

Section 9.41.300. Weapons prohibited in certain places – Local laws and ordinances – Exceptions – Penalty.

(3)

(a) Cities, towns, and counties may enact ordinances restricting the areas in their respective jurisdictions in which firearms may be sold, but, except as provided in (b) of this subsection, a business selling firearms may not be treated more restrictively than other businesses located within the same zone. An ordinance requiring the cessation of business within a zone shall not have a shorter grandfather period for businesses selling firearms than for any other businesses within the zone.

(b) Cities, towns, and counties may restrict the location of a business selling firearms to not less than 500 feet from primary or secondary school grounds, if the business has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale. A business selling firearms that exists as of the date a restriction is enacted under this subsection (3)(b) shall be grandfathered according to existing law.

Airway Heights Code of Ordinances

Current through Ordinance C935, passed December 16, 2019.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.32 – Minors

Section 9.32.010. Contributing to the delinquency of a minor.

A. Every person is guilty of contributing to the delinquency of a minor who:

4. Sells or gives, or permits to be sold or given to any person under the age of 18, tobacco in any form, cigarette paper or wrapper, or any revolver or pistol.

Beaux Arts Village Code of Ordinances

Current through Ordinance 440, passed March 12, 2019.

Title 9 – Criminal Code
Chapter 9.05 – Firearms Fireworks

Section 9.05.020. Possession of firearms by minors restricted.

It shall be unlawful for any person under the age of 17 years, unless accompanied by a parent or lawful guardian, to have in his possession while on the streets, roads or alleys of the town of Beaux Arts Village any gun, pistol, revolver, air rifle, air gun, air pistol, spring gun or any other similar weapon, whether such be classified as a toy or not, which impels with force a metal pellet of any kind, or any metal or sharp-pointed arrow.

Bellingham Code of Ordinances

Current through Ordinance 2019-12-044, passed December 16, 2019.

Title 6 – Business Taxes, Licenses, and Regulations
Chapter 6.34 – Firearms Retail Establishments

Section 6.34.010. Firearms retail establishments regulatory license and requirements.

A. A firearms retail establishments regulatory license is required for all firearms retail establishments established within the city of Bellingham after the effective date of the ordinance codified in this chapter, and for existing firearms retail establishments relocating their business after the effective date of the ordinance codified in this chapter. In order to conduct business lawfully within city limits, a firearms retail establishment established or relocated after the effective date of the ordinance codified in this chapter selling firearms at retail shall obtain a regulatory license, the conditions of which include in total signing an affidavit, on a form provided by the city, acknowledging that the recipient is aware of the

existence of a 500-foot zone around schools within which it is prohibited to locate a retail establishment selling firearms, and that the location where a licensee proposes to locate such an establishment is not within such a zone. The RCW 9.41.300 explicitly enables municipalities to prohibit the sale of firearms within 500 feet of a school. The conditions regulating the location of such stores are stated in additional detail in subsection (B) of this section.

B. A 500-foot zone around schools is hereby created wherein the location and operation of retail establishments selling firearms is prohibited. No commercial retail establishment shall be located within a distance of 500 feet from the outside property line of a school if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such establishment was lawfully conducting business at the same location as of the effective date of the ordinance codified in this chapter, or the school was established after the firearms retail establishment was licensed at that location. If conditions and procedures apply allowing for lapse of grandfather status to a business selling firearms that is located within 500 feet of a school, these shall be consistent with conditions or procedures outlined in BMC 20.14.030 for a lapse in grandfather status for other types of business in the city.

C. A retail establishment with an active application for a firearms dealer license that is complete and in process with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives on the effective date of the ordinance codified in this chapter shall be considered an existing firearms retail establishment for purposes of this chapter. [Ord. 2009-06-036].

Section 6.34.020. Definitions specific to this chapter.

“**School**” is defined as an institution of learning, primary or secondary, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education.

Blaine Code of Ordinances

Current through Ordinance 2942, passed January 27, 2020.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.32 – Weapons

Article I – General Provisions

Section 9.32.010. Definitions.

The following words and phrases, as used in this chapter, shall be construed as follows:

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.

E. “Machine gun” means any firearm or weapon known as a “machine gun,” “mechanical rifle,” “submachine gun” and/or any other 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 a rate of five or more shots per second.

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 12 inches in length, but shall not include antique pistols or revolvers manufactured prior to 1889 and held as collector’s items.

Article II – Pistols

Section 9.32.090. Delivery to those under 21 years.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution.

Section 9.32.100. Sales – Identification and report.

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 presents 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 has never been convicted in this state or elsewhere of a crime of violence, or of drug addiction or 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 who shall, within 72 hours, exclusive of Sundays and holidays, investigate the information contained in the record and report his findings to the merchant or secondhand dealer.

Section 9.32.110. Sales – Delivery.

It is unlawful for any merchant or secondhand dealer to deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the chief of police that the purchaser is not a fugitive from justice and that the 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 72 hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the chief of police as required by BMC 9.32.100, 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 that is issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

Section 9.32.120. Sales – Prohibited purchasers.

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 who 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 9.32.130. Sales – Regulations and records.

A. It is unlawful to sell a pistol in violation of any provisions of RCW 9.41.160.

B. No pistol shall be sold under any circumstances unless the purchaser is personally known to the seller or presents clear evidence of his identity.

C. No seller shall deliver a pistol to the purchaser thereof until 72 hours have elapsed from the time of the application for the purchase thereof as provided in this section and, when delivered, the pistol shall be securely wrapped and shall be unloaded.

D. At the time of applying for the purchase of a pistol the purchaser shall sign in duplicate and deliver to the seller an application containing his full name, address, occupation, place of birth and the date and hour of the application; and a description of the weapon, including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, and is not legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police, and the duplicate duly signed by the seller shall, within seven days, be sent by him with his address to the Director of Licenses of the state; the triplicate he shall retain for six years. The chief of police shall maintain a file containing the original of the application to purchase a pistol.

E. This section shall not apply to sales at wholesale.

Section 9.32.140. Sales – License.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or transfer, any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

Section 9.32.150. As security for loans.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers as provided by Chapter 10.60 RCW. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.32.160. Changing identifying marks.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number or other mark of identification of any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 9.32.170. Giving false information.

No person shall, in purchasing or otherwise securing delivery of a pistol, or in applying for a license to carry a pistol, give false information or offer false evidence of his identity.

Section 9.32.180. Curiosities or ornaments exempted.

This chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Article III – Machine Guns

Section 9.32.190. Unlawful.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession or under control any machine gun or any part thereof capable of use for assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the Armed Forces of the United States or the state.

Bonny Lake Code of Ordinances

Current through Ordinance 1631, passed January 14, 2020.

Title 18 – Zoning

Chapter 18.29 – E Eastown District

Section 18.29.040. Conditional uses.

The following uses may be permitted upon the issuance of a conditional use permit by the city:

E. Assembly or processing of previously prepared materials in a fully enclosed building, provided:

1. No explosives, ammunition, blasting agents or fireworks are stored or manufactured in this district;

Buckley Code of Ordinances

Current through Ordinance 34-19, passed December 10, 2019.

Title 10 – Public Peace, Safety and Morals

Chapter 10.40 – Weapons

Section 10.40.050. Delivery restricted.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Section 10.40.060. Selling.

(1) In addition to the other requirements set forth in this chapter, no seller shall deliver a pistol to the purchaser thereof until 72 hours have elapsed from the time of the application for the purchase thereof as provided in this section, and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

(2) At the time of the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller an application containing his full name, address, occupation, place of birth, and the date and hour of the application; and a description of the weapon including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted of a crime of violence, drug addiction or habitual drunkenness, or never has been legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the police chief or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following 72 hours thereafter unless the seller is notified in writing by the police chief or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser has been convicted of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind. The chief of police or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

Section 10.40.070. Pistol dealers to be licensed.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed with the state.

Section 10.40.080. Certain transfer forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 10.40.090. Altering pistol identification.

No person shall change, alter, remove, or obliterate the name of the make, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 10.40.100. False information in obtaining pistol.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 10.40.110. Antique pistols excepted.

This chapter shall not apply to inoperable antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Chapter 10.60 – Crimes by and against juveniles

Section 10.60.080. Weapons on schoolgrounds.

(1) It is unlawful for an elementary or secondary school person under the age of 21 knowingly to carry onto public or private elementary or secondary school premises:

(a) Any firearm;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any person of a private military academy; or

(b) Any person engaged in military activities sponsored by the federal or state governments while engaged in official duties; or

(c) Any person who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

Camas Code of Ordinances

Current through Ordinance 19-0031, passed December 2, 2019. (Supplement 36, Update 2)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.28 – Weapons

Section 9.28.010. Delivery to certain individuals prohibited.

No person shall deliver a pistol to any person under the age of twenty-one or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Chapter 9.24 – Offenses by or Against Minors

Article IV Firearms

Section 9.24.130. Use.

Every minor under the age of fourteen years who shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind for hunting or target practice or for other purposes, shall be guilty of a misdemeanor. Every person, who shall aid or knowingly permit any such minor to violate the foregoing provision, shall be guilty of a misdemeanor.

Cheney Code of Ordinances

Current through Ordinance X-64, passed June 18, 2019. (Supplement 15)

Title 9A – Public Peace and Safety

Chapter 9A.06 – Minors

Section 9A.06.010. Contributing to the delinquency of a minor.

(a) Every person who:

(5) Sells, or gives, or permits to be sold or given to any person under the age of 18 years, any revolver, or pistol; is guilty of contributing to the delinquency of a minor.

Section 9A.06.030. Use of firearms.

No minor under the age of 14 years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of this parent or guardian, any firearm of any kind for hunting or target practice or for any other purpose. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate them, is guilty of a misdemeanor.

Concrete Code of Ordinances

Current through Ordinance 797, passed February 11, 2019.

Title 19 – Zoning

Chapter 19.33 – CL – Commercial/Light Industry District

Section 19.33.040. Uses requiring permit.

The following uses may be permitted when a conditional use permit has been issued pursuant to the provisions of Chapter 19.68 CMC:

- (8) Sale or repair of firearms;

Chapter 19.36 – TC – Town Center District

Section 19.36.020. Permitted primary uses.

Hereafter, all buildings, structures, or parcels of land shall only be used for the following, unless otherwise provided for in this title:

(29) Retail stores and shops, including department and variety stores, which offer for sale the following and similar related goods:

- (bb) Sporting goods; excluding sale or repair of firearms;

Connell Code of Ordinances

Current through Ordinance 1003, adopted December 16, 2019.

Title 9 – Peace, Safety and Morals

Chapter 9.28 – Weapons

Section 9.28.010. Definitions.

“Firearm” means any kind of a gun or instrument that discharges a bullet, missile or object likely to cause physical injury or death to a person;

Section 9.28.030. Weapons prohibited in public and private establishments.

It is unlawful for any person to enter a tavern, cocktail lounge, public or private school or a municipal court, while carrying on his person or having in his possession any firearm or dangerous weapon, even though that person has in his possession a lawfully issued permit to carry a concealed weapon.

Section 9.28.050. Exceptions.

This chapter shall not apply to any law enforcement officer while on duty or performing law enforcement or public duties in a proper and lawful manner.

Coupeville Code of Ordinances

Current through Ordinance 750, adopted February 19, 2019. (Supplement 11)

Title 5 – Business Licenses and Regulations

Chapter 5.06 – Firearms Retail Establishments

Section 5.06.010. Firearms retail establishments regulatory license and requirements.

A. A firearms retail establishment regulatory license is required for all firearms retail establishments established within the Town of Coupeville after the effective date of this chapter and for existing firearms retail establishments relocating their business after the effective date of this chapter. In order to conduct business lawfully within town limits, a firearms retail establishment established or relocated after the effective date of this chapter selling firearms at retail shall obtain a regulatory license, the conditions of which include signing an affidavit, on a form provided by the Town, acknowledging that the recipient is aware of the existence of a one thousand (1,000) foot zone around schools within which it is prohibited to locate a retail establishment selling firearms, and that the location where a licensee proposes to locate such an establishment is not within such a zone. RCW 9.41.300 explicitly enables municipalities to prohibit the sale of firearms within five hundred (500) feet of a school. The conditions regulating the location of such stores are stated in additional detail in subsection B., below.

B. A one thousand (1,000) foot zone around schools is hereby created wherein the location and operation of retail establishments selling firearms is prohibited. No commercial retail establishment shall be located within a distance of one thousand (1,000) feet from the outside property line of a school if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such establishment was lawfully conducting business at the same location as of the effective date of this chapter, or the school was established after the firearms retail establishment was licensed at that location. If

conditions and procedures apply allowing for lapse of grandfather status to a business selling firearms that is located within one thousand (1,000) feet of a school, these shall be consistent with conditions or procedures outlined in CTC 16.10.020 for a lapse in grandfather status for other types of business in the Town.

C. A retail establishment with an active application for a firearms dealer license that is complete and in process with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives on the effective date of this chapter shall be considered an existing firearms retail establishment for purposes of this chapter.

Section 5.06.020. Definitions specific to this chapter.

"**School**" is defined as an institution of learning, primary or secondary, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards required by the State Board of Education.

Des Moines Code of Ordinances

Current through Ordinance 1731, passed November 14, 2019.

**Title 5 – Business Licenses, Taxes, and Regulations
Chapter 5.16 – Secondhand Dealers**

Section 5.16.010. Secondhand dealer defined.

"**Secondhand dealer**," as used in this chapter, is applicable to a person:

- (1) Having a pawnbroker's license issued by the city and engaging in whole or in part in the purchase, sale, trade, barter, auction, consignment, or exchange of secondhand goods; or
- (2) Engaging in any business in the city, and in connection with that business engaging in the purchase, sale, trade, barter, auction, consignment, or exchange of secondhand goods of the following description:
 - (e) Firearms;

Section 5.16.020. License – Required.

It is unlawful for a person to engage in the business of secondhand dealer or for a person having a pawnbroker's license issued by the city to conduct any business in the city, without first obtaining a secondhand dealer's license as provided in this chapter.

Edmonds Code of Ordinances

Current through Ordinance 4167, passed December 3, 2019.

**Title 5 – Public Safety and Morals
Chapter 5.24 – Firearms and Dangerous Weapons**

Section 5.24.070. Reporting theft or loss of firearm required.

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Edmonds police department if the loss or theft occurred in Edmonds. The report shall be made within 24 hours after the theft or loss is first discovered, and shall include to the extent known:

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

B. On receipt of a report of a stolen or lost firearm under this section, the Edmonds police department shall enter into the National Crime Information Center Database the following information, to the extent known:

1. The firearm's caliber, make, model, manufacturer, and serial number; and
2. Any other distinguishing number or identification mark on the firearm.

C. Any violation of or failure to comply with the provisions of this section shall constitute a civil infraction and shall be punished by a fine not to exceed \$1,000.

D. If a lost or stolen firearm is used by a third party to injure or kill another:

1. The failure to comply with subsection (A) of this section is prima facie evidence of negligence; but
2. The proper use of measures to safely store or keep a firearm, including securing it with a locking device, as defined in ECC 5.26.010(D), properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user, is an affirmative defense to a claim of negligence. For purposes of this subsection, "**lawfully authorized user**" means any person who:

- a. Is not in the unlawful possession of a firearm under RCW 9.41.040;
- b. Is not prohibited from possessing a firearm under any other state or federal law; and
- c. Has the express permission of the owner to possess and use the firearm.

Chapter 5.26 – Storage of Firearms

Section 5.26.010. Definitions.

For purposes of this chapter, the following definitions apply:

- A. “At-risk person”** means any person who has made statements or exhibited behavior that indicates to a reasonable person there is a likelihood that the person is at risk of attempting suicide or causing physical harm to oneself or others.
- B. “Firearm”** means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder, including but not limited to any machine gun, pistol, rifle, short-barreled rifle, short-barreled shotgun, or shotgun as those terms are defined in RCW 9.41.010. “Firearm” does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.
- C. “Lawfully authorized user”** means any person who:
 - 1. Is not in the unlawful possession of a firearm under RCW 9.41.040; and
 - 2. Is not prohibited from possessing a firearm under any other state or federal law; and
 - 3. Has the express permission of the owner to possess and use the firearm.
- D. “Locking device”** includes any device listed on the Approved Firearms Safety Devices Compatibility Chart, published by the State of California’s Office of the Attorney General and attached to the ordinance codified in this section as Exhibit A, which is incorporated herein by this reference as if set forth in full, and stored in conjunction with a compatible firearm.
- E. “Minor”** means a person under 18 years of age who is not authorized under RCW 9.41.042 to possess a firearm, or a person of at least 18 but less than 21 years of age who does not meet the requirements of RCW 9.41.240.
- F. “Prohibited person”** means any person who is not a lawfully authorized user.

Section 5.26.020. Safe storage of firearms.

It shall be a civil infraction for any person to store or keep any firearm in any premises unless such weapon is secured by a locking device, properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user.

Notwithstanding the foregoing, for purposes of this section, such weapon shall be deemed lawfully stored or lawfully kept if carried by or under the control of the owner or other lawfully authorized user.

Section 5.26.030. Unauthorized access prevention.

It shall be a civil infraction if any person knows or reasonably should know that a minor, an at-risk person, or a prohibited person is likely to gain access to a firearm belonging to or under the control of that person, and a minor, an at-risk person, or a prohibited person obtains the firearm.

Entiat Code of Ordinances

Current through Ordinance 812, passed December 19, 2019.

Title 18 – Zoning Code

Chapter 18.40 – District Use Chart

Section 18.40.010. Purpose.

A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a use district that is not listed in the use chart as either a permitted, accessory or conditional use, unless the administrator determines that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and all other applicable provisions of the city of Entiat.

Section 18.40.020. District use chart.

The use chart located on the following pages is made a part of this section. The following acronyms apply to the following use chart. If there is nothing located in the district for that use listed, that use is not allowed.

PRM – Permitted Use
 ACC – Accessory Use
 CUP – Conditional Use Permit

HOP – Home Occupation Permit
 MUPD – Mixed Use Planned Development
 R-L – Residential Low Density

R-M – Residential Medium Density
 R-H – Residential High Density
 MTR – Mixed Tourist Recreational

C-H – Highway Commercial
 W-T – Waterfront Transition
 W-B – Waterfront Business
 W-P – Waterfront Parks

	R-L	R-M	R-H	MTR	C-H	W-T	W-P	W-B
Commercial Uses								
Gunsmith, Gun Shops					PRM	PRM		

Ephrata Code of Ordinances

Current through Ordinance 19-19, passed December 18, 2019.

**Title 19 – Zoning
 Chapter 19 – Zoning Code**

Section 19.04.050. Manufacturing land use development conditions.

1. The following uses require a conditional use permit:

b. Manufacture of products such as the following:

- (1) Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.

Everett Code of Ordinances

Current through Ordinance 3720-19, passed December 18, 2019, 2019.

**Title 9 – Public Peace, Morals and Welfare
 Chapter 9.90 – Reporting Theft of Loss of Firearm Required**

Section 9.90.010. Reporting theft or loss of firearm required.

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Everett police department if the loss or theft occurred in Everett. The report shall be made within twenty-four hours after the theft or loss is first discovered, and shall include, to the extent known:

- 1. The firearm’s make (manufacturer), country of manufacture, caliber, model, type, and serial number;
- 2. Any other descriptors (barrel length, color and finish, cartridge capacity);
- 3. Any other distinguishing number or identification mark on the firearm; and
- 4. Information about the loss or theft, including the date lost or stolen, location of loss or theft, and the manner and circumstances of the loss or theft.

B. On receipt of a report of a stolen or lost firearm under this section, the Everett police department shall enter the firearm into the local police records management system, including all descriptive information about the firearm to the extent known. The Everett police department shall also enter the firearm into the National Crime Information Center (NCIC) database whenever the following information is known:

- 1. The firearm’s make (manufacturer), caliber, type, and serial number.

If there is sufficient information for an NCIC entry, the entry will also include the following information, to the extent known:

- 1. The firearm model; and
- 2. Any other descriptors (barrel length, color and finish, cartridge capacity); and
- 3. Any other distinguishing number, identification mark, or inscription on the firearm.

C. Any violation of or failure to comply with the provisions of subsection A of this section shall constitute a class 1 civil infraction pursuant to Chapter 7.80 RCW and shall be punishable by a fine not to exceed two hundred fifty dollars, not including statutory assessments

Chapter 9.92 – Sale of Firearms

Section 9.92.010. Record of sale—Investigation.

A. 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:

- 1. The person is personally known to the seller or shall present clear evidence of his identity; and
- 2. Unless the merchant or secondhand dealer shall complete a true record in triplicate of every pistol sold or disposed of and submit the record to the chief of police of the city.

B. A complete 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 be sent by registered mail to the chief of police of the city on the same date as the record is completed.

C. The chief of police of the city shall within seventy-two hours, exclusive of Saturdays, Sundays and holidays, investigate the information contained in the record. In the event records are incomplete, the chief of police may require that the record be resubmitted. The time for investigation shall only attach to submission of complete records as herein defined.

Section 9.92.020. Delivery restrictions.

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 within seventy-two hours exclusive of Saturdays, Sundays or holidays after the dealer has mailed a copy of the complete record in accordance with Section 9.92.010. Also 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 person known by the merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer, to be a 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. Any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, who has no knowledge that the purchaser is a fugitive from justice or a person convicted of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution, or receives no communication from the chief of police within seventy-two hours, exclusive of Saturdays, Sundays and holidays, after the merchant has mailed the completed record applicable to the sale, and delivers the pistol, shall not be guilty of a violation of this chapter. This section shall not apply to sales at wholesale or to sales to law enforcement officers.

Section 9.92.030. Prohibited purchasers.

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 who 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.

Title 10 Criminal Code
Chapter 10.74 – Offenses By and Against Minors

Section 10.74.034. Use of firearms by minor.

No minor under the age of fourteen years shall handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or other adult approved for the purpose of this section by the parent or guardian, or while under the supervision of a certified safety instructor at an established gun range or firearm training class, any firearm of any kind for hunting or target practice or for other purposes. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

Chapter 10.78 – Carrying and Discharging Weapons

Section 10.78.110. Possessing dangerous weapons on school facilities—Penalty—Exceptions.

A. It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. Any firearm;

C. Subsection A of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;
2. Any person engaged in military, law enforcement, or school district security activities;
3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
5. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;

6. Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

7. Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

8. Any law enforcement officer of the federal, state, or local government agency.

E. Except as provided in subsections (C)(2), (C)(3), (C)(6) and (C)(8) of this section, firearms are not permitted in a public or private school building.

Enumclaw Code of Ordinances

Current through Ordinance 2664, passed September 9, 2019.

Title 9 – Public Peace, Morals and Safety Chapter 9.84 – Crimes Relating to Children

Section 9.84.040. Contributing – Certain acts prohibited – Belief minor in representative capacity no defense.

Every person is guilty of a misdemeanor who:

E. Sells, or gives or permits to be sold or given to any person under the age of 18 years, any revolver or pistol.

Ilwaco Code of Ordinances

Current through Ordinance 895, passed March 11, 2019.

Title 5 – Business Licenses and Regulations Chapter 5.04 – Business Licenses Generally

Section 5.04.020. Definitions.

The following words and phrases used in this chapter shall be construed as follows:

“**Business**” means all activities, occupations, trades, pursuits, professions and matter located within the city’s jurisdiction, operated with the object of gain, profit, or nonprofit to the business or person, directly or indirectly.

“**Engaging in business**” shall have the definition as set forth in Section 3.18.040.

“**Person**” means any individual, firm, partnership, joint venture, company, association, or any group of individuals acting as a unit, whether cooperative, fraternal, nonprofit or otherwise.

Section 5.04.030. Business license required.

It is unlawful for any person to engage in any business in the city without having first been approved for a business license from the city. If more than one separate business is conducted on single premises, a separate license shall be required for each such business. If a business actively operates from more than one location in the city, a separate license shall be required for each location.

Section 5.04.050. Application procedure.

Any business wishing to engage in business activities in the city of Ilwaco must apply for their business license and pay fees, if required, through Washington State Business Licensing Services (BLS). Business licenses shall be approved at the discretion of the city clerk, except business relating to variance, liquor, firearms and pawnshops. These will need authorization from the council of the city of Ilwaco. The license shall be personal and nontransferable. Each license shall at all times be conspicuously posted in the place of business for which it is issued. Where a location address of a business is changed, the business shall notify both the city clerk and BLS and comply with their requirements.

Kenmore Code of Ordinances

Current through Ordinance 19-494, passed July 15, 2019.

Title 9 – Criminal Code Chapter 9.20 – Pistol Sales

Section 9.20.010. Definitions.

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 12 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 9.20.020. Sale and registration.

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 affecting 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 sheriff of King County who shall, within 72 hours, exclusive of Sundays and holidays, investigate the information contained in said record and report his findings to the merchant or secondhand dealer.

Section 9.20.030. Delivery following sheriff's report.

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 the merchant or secondhand dealer has received a report from the sheriff that the purchaser is not a fugitive from justice and that the 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 sheriff within 72 hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the sheriff as required by KMC 9.20.020, 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 9.20.040. Purchase unlawful for certain persons.

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 and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Kennewick Code of Ordinances

Current through Ordinance 5854, enacted January 7, 2020. (Supplement 5, Update 4)

Title 10 – Peace, Safety and Morals Chapter 10.12 – Firearms – Weapons

Section 10.12.005. Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

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

(2) Pistol means any firearm with a barrel less than 12 inches in length, or is designed to be held and fired by the use of a single hand.

(3) Rifle means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(4) Short-Barreled Rifle means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than 26 inches.

(5) Shotgun means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(6) Short-Barreled Shotgun means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than 26 inches.

(7) Machine Gun means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other 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 the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(8) Antique Firearm means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(9) Loaded means:

- (a) There is a cartridge in the chamber of the firearm;
- (b) Bullets are in a clip that is locked in place in the firearm;
- (c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or
- (d) There is a cartridge in the tube, magazine, or other compartment of the firearm.

(10) Dealer means a person engaged in the business of selling firearms or ammunition at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his personal collection of firearms.

(11) Crime of Violence means:

- (a) Any of the following felonies, as now existing or hereafter amended: 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 forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, and robbery in the second degree;
- (b) 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 (a) of this subsection; and
- (c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(12) Serious Offense means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Child molestation in the second degree;
- (c) Controlled substance homicide;
- (d) Incest when committed against a child under age 14;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Sexual exploitation;
- (j) Vehicular assault;
- (k) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;
- (l) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;
- (m) Any other felony with a deadly weapon verdict under RCW 9.94A.125; or

(n) Any felony offense in effect at any time prior to the effective date of this section that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense.

Section 10.12.006. Unlawful Possession of Firearm.

(1) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm if the person owns, has in his possession, or has in his control any firearm:

(a) After having previously been convicted in this state or elsewhere of a serious offense, a domestic violence offense enumerated in RCW 10.99.020(2), a harassment offense enumerated in RCW 9A.46.060, or of a felony in which a firearm was used or displayed, except as otherwise provided in subsection (3) or (4) of this section;

(b) After having previously been convicted of any felony violation of the uniform controlled substances act, Chapter 69.50 RCW, or equivalent statutes of another jurisdiction, except as otherwise provided in subsection (3) or (4) of this section;

(c) After having previously been convicted on three occasions within five years of driving a motor vehicle or operating a vessel while under the influence of intoxicating liquor or any drug, unless his right to possess a firearm has been restored as provided in section 404, Chapter 7, Laws 1994, Special Sess.;

(d) If the person is under 18 years of age, except as provided in KMC 10.12.007.

(2) As used in this section, a person has been "**convicted**" at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including, but not limited to, sentencing or disposition, post-trial or post-fact-finding motions, and appeals. A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(3) Notwithstanding subsection (1) of this section, a person convicted of an offense other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401(a) and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction.

(4) In addition to any other penalty provided for by law, if a person under the age of 18 years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the Department of Licensing within 24 hours and the person's privilege to drive shall be revoked under RCW 46.20.265.

Section 10.12.007. Minors in Possession of Firearms – When Allowed.

KMC 10.12.006(1)(d) shall not apply to any person under the age of 18 years who is:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;

(3) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;

(4) Hunting or trapping under a valid license issued to the person under Title 77 RCW;

(5) In an area where the discharge of a firearm is permitted, is not trespassing, and the person either: (a) is at least 14 years of age, has been issued a hunter safety certificate, and is using a lawful firearm other than a pistol; or (b) is under the supervision of a parent, guardian, or other adult approved for the purpose by the parent or guardian;

(6) Traveling with any unloaded firearm in the person's possession to or from any activity described in subsection (1), (2), (3), (4), or (5) of this section;

(7) On real property under the control of his parent, other relative, or legal guardian and who has the permission of the parent or legal guardian to possess a firearm;

(8) At his residence and who, with the permission of his parent or legal guardian, possesses a firearm for the purpose of exercising the rights specified in RCW 9A.16.020(3); or

(9) Is a member of the armed forces of the United States, National Guard, or organized reserves, when on duty.

Section 10.12.021. Weapons on School Property.

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

(a) Any firearm;

(b) Any other dangerous weapon as defined in KMC 10.12.074;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(a) of this section, the person shall lose his concealed pistol license, if any. The court shall send notice of the revocation to the Department of Licensing, and the city, town, or county which issued the license.

(3) Subsection (1) of this section does not apply to:

(a) Any student or employee of a private military academy when on the property of the academy;

(b) Any person engaged in military, law enforcement, or school district security activities;

(c) Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

(d) Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

(e) Any person in possession of a pistol who has been issued a license under RCW 9.41.070 or KMC 10.12.008, or is exempt from the licensing requirement by RCW 9.41.060 or KMC 10.12.010(c), while picking up or dropping off a student;

(f) Any nonstudent at least 18 years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

(g) Any nonstudent at least 18 years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

(h) Any law enforcement officer of the federal, state, or local government agency.

(5) Except as provided in subsection (3)(b), (c), (f) and (h) of this section, firearms are not permitted in a public or private school building.

(6) "GUN-FREE ZONE" signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

Section 10.12.050. Sale to Minors and Others Prohibited.

No person may deliver a firearm to any person whom he has reasonable cause to believe is ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a firearm.

Section 10.12.051. Sales by Dealer.

(1) In addition to the other requirements of this chapter, no dealer may deliver a pistol to the purchaser thereof until:

(a) The purchaser produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection (5) of this section;

(b) The dealer is notified in writing by the Chief of Police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under Section RCW 9.41.040 and KMC 10.12.006 and that the application to purchase is approved by the Chief of Police or sheriff; or

(c) Five business days, meaning days on which state offices are open, have elapsed from the time of receipt of the application for the purchase thereof as provided herein by the Chief of Police or sheriff designated in subsection (5) of this section, and, when delivered, the pistol shall be securely wrapped and shall be unloaded. However, if the purchaser does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive 90 days, the waiting period under this subsection (1)(c) shall be up to 60 days.

(2)

(a) Except as provided in (b) of this subsection, in determining whether the purchaser meets the requirements of Section RCW 9.41.040 and KMC 10.12.006, Chief of Police shall check with the national crime information center, the Washington state patrol electronic data base, the department of social and health services electronic data base, and

with other agencies or resources as appropriate, to determine whether the applicant is ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a firearm.

(b) Once the system is established, a dealer shall use the national instant criminal background check system, provided for by the Brady Handgun Control Act (H.R. 1025, 103rd Cong., 1st Sess. (1993)), to make criminal background checks of applicants to purchase firearms. However, the Chief of Police shall continue to check the Department of Social and Health Services' electronic data base and with other agencies or resources as appropriate, to determine whether applicants are ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a firearm.

(3) In any case under subsection (1)(c) of this section where the applicant has an outstanding warrant for his arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol until the warrant for arrest is served and satisfied by appropriate court appearance. The Chief of Police, for purposes of the sale, shall confirm the existence of outstanding warrants within 72 hours after notification of the application to purchase a pistol is received. He shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a pistol.

(4) In any case where the Chief of Police has reasonable grounds based on the following circumstances:

(a) Open criminal charges;

(b) Pending criminal proceedings;

(c) Pending commitment proceedings;

(d) An outstanding warrant for an offense making a person ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a pistol; or

(e) An arrest for an offense making a person ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a pistol, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a pistol, the Chief of Police may hold the sale and delivery of the pistol beyond five days up to 30 days in order to confirm existing records in this state or elsewhere. After 30 days, the hold will be lifted unless an extension of the 30 days is approved by a local district court or municipal court for good cause shown. An applicant shall be notified of each hold placed on the sale by local law enforcement and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

(5) At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the dealer an application containing his full name, street address, date and place of birth, race, and gender; the date and hour of the application; the applicant's driver's license number or state identification card number; a description of the pistol including the make, model, caliber and manufacturer's number; and a statement that the purchaser is eligible to possess a pistol under RCW 9.41.040 and KMC 10.12.006. The application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution.

The purchaser shall be given a copy of the Department of Fish and Wildlife pamphlet on the legal limits of the use of firearms, firearms safety, and the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The dealer shall, by the end of the business day, sign and attach his address and deliver the original of the application and such other documentation as required under subsection (1) of this section to the Chief of Police of the municipality or the sheriff of the county of which the purchaser is a resident. The dealer shall deliver the pistol to the purchaser following the period of time specified in this section unless the dealer is notified in writing by the Chief of Police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser is not eligible to possess a pistol under Section RCW 9.41.040 and KMC 10.12.006.

The Chief of Police of the municipality or the sheriff of the county shall retain or destroy applications to purchase a pistol in accordance with the requirements of 18 U.S.C. Sec. 922.

(6) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a pistol is guilty of false swearing.

(7) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

Section 10.12.054. Dealer's License.

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The Chief of Police shall grant licenses in forms prescribed by the director of licensing effective for not more than one year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in RCW 9.41.010 through 9.41.160. The Chief of Police shall forward a copy of each license granted to the Department of Licensing. The Department of Licensing shall notify the Department of Revenue of the name and address of each dealer licensed under this section.

(5)

(a) The Chief of Police shall, within 30 days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive 90 days, the licensing authority shall have up to 60 days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 and KMC 10.12.006 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his employment to undergo fingerprinting and a background check. An employee must be eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of pistols that are applicable to dealers.

(6)

(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection (6)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and 9.41.110. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

(7) The license or a copy thereof, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

(8)

(a) No pistol may be sold:

(i) In violation of any provisions of RCW 9.41.010 through 9.41.160; nor

(ii) May a pistol be sold under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his identity.

(b) It is unlawful for dealers to sell or deliver any firearm in violation of RCW 9.41.080. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be \$125.00. The license fee for firearms other than pistols shall be \$125.00. The license fee for ammunition shall be \$125.00. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this section shall be deposited in the account under RCW 69.50.520.

(9)

(a) A true record in triplicate shall be made of every pistol sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and 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 ineligible under Section RCW 9.41.040 and KMC 10.12.006 to possess a firearm.

(b) One copy shall, within six hours, be sent by certified mail to the Chief of Police of the municipality or the sheriff of the county of which the purchaser is a resident; the duplicate the dealer shall, within seven days, send to the director of licensing; the triplicate the dealer shall retain for six years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

Section 10.12.071. Altering Serial Numbers.

No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

Section 10.12.072. Unlawful Weapons.

(1) It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, short-barreled shotgun, or short-barreled rifle; or any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle; or to assemble or repair any machine gun, short-barreled shotgun, or short-barreled rifle.

(2) This section shall not apply to:

(a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or

(b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, short-barreled shotguns, or short-barreled rifles:

(i) To be used or purchased by the armed forces of the United States;

(ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or

(iii) For exportation in compliance with all applicable federal laws and regulations.

(3) It shall be an affirmative defense to a prosecution brought under this section that the machine gun, short-barreled shotgun, or short-barreled rifle was acquired prior to the effective date of this section and is possessed in compliance with federal law.

Section 10.12.073. Unlawful Weapons – Contraband.

All machine guns, short-barreled shotguns, or short-barreled rifles, or any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle, illegally held or illegally possessed are hereby declared to be contraband, and it shall be the duty of all peace officers, and any officer or member of the armed forces of the United States or the state of Washington, to seize said machine gun, short-barreled shotgun, or short-barreled rifle, or parts thereof, wherever and whenever found.

Section 10.12.074. Dangerous Weapon.

Every person who:

(3) Uses any contrivance or device for suppressing the noise of any firearm, is guilty of a gross misdemeanor.

Section 10.12.090. Court Orders.

(1) Any court when entering an order authorized under RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.137, 26.50.060, or 26.50.070 shall, upon a showing by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a serious offense, or previously committed any offense that makes him ineligible to possess a firearm under the provisions of Section RCW 9.41.040 and KMC 10.12.006:

- (a) Require the party to surrender any firearm or other dangerous weapon;
- (b) Require the party to surrender any concealed pistol license issued under RCW 9.41.070 or KMC 10.12.008;
- (c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;
- (d) Prohibit the party from obtaining or possessing a concealed pistol license.

(2) Any court when entering an order authorized under RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.137, 26.50.060, or 26.50.070 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a serious offense, or previously committed any offense that makes him ineligible to possess a pistol under the provisions of Section RCW 9.41.040 and KMC 10.12.006:

- (a) Require the party to surrender any firearm or other dangerous weapon;
- (b) Require the party to surrender a concealed pistol license issued under RCW 9.41.070 or KMC 10.12.008;
- (c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;
- (d) Prohibit the party from obtaining or possessing a concealed pistol license.

(3) The court may order temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1), (2), and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1), (2), and (4) of this section may be for a period of time less than the duration of the order.

(6) The court may require the party to surrender any firearm or other dangerous weapon in his immediate possession or control or subject to his immediate possession or control to the sheriff of the county having jurisdiction of the proceeding or to the restrained or enjoined party's counsel or to any person designated by the court.

Section 10.12.900. Construction – Conflict with State Law.

If any portion of this chapter is found to be in conflict with or more restrictive than state law insofar as it concerns firearms, then it shall be construed consistently with and in harmony with state law.

Kent Code of Ordinances

Current through Ordinance 4353, passed January 21, 2020

Title 15 – Zoning

Chapter 15.04 – District Regulations

Section 15.04.050. Manufacturing land use development conditions.

1. The following uses require a conditional use permit:

b. Manufacture of products such as the following:

- i. Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.

Lacey Code of Ordinances

Current through Ordinance 1563, passed January 16, 2020.

Title 9 – Public Peace, Safety and Morals Chapter 9.12 – Crimes Against Person

Section 9.12.070. Domestic violence.

B. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in Revised Code of Washington 9A.04.110 in any further acts of harassment or violence, the court may also require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the city's police chief or to the defendant's counsel for safe keeping.

Chapter 9.36 – Firearms and Weapons

Section 9.36.010. Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

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

B. "Pistol" means any firearm with a barrel less than twelve inches in length, or is designed to be held and fired by the use of a single hand.

Section 9.36.050. Use of firearm by a minor.

A. Unless an exception under Lacey Municipal Code Section 9.36.020 or Section 9.36.030 applies, a person at least eighteen years of age, but less than twenty-one years of age, may possess a pistol only:

1. In the person's place of abode;
2. At the person's fixed place of business; or
3. On the real property under his or her control.

B. Possession of a pistol in violation of this section shall constitute a misdemeanor.

Section 9.36.080. Carrying weapons on school facilities.

A. It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. Any firearm;

B. Any such person violating subsection A. of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection A. 1. of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

C. Subsection A. of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;
2. Any person engaged in military, law enforcement, or school district security activities;
3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
5. Any person in possession of a pistol who has been issued a license under Revised Code of Washington 9.41.070, or is exempt from the licensing requirements of Lacey Municipal Code 9.36.030 or by Revised Code of Washington 9.41.060, while picking up or dropping off a student;
6. Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
7. Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
8. Any law enforcement officer of the federal, state, or local government agency.

E. Except as provided in subsection C. 2, 3, 6 and 8 of this section, firearms are not permitted in a public or private school building.

Langley Code of Ordinances

Current through Ordinance 1058, passed August 5, 2019.

Title 18 – Zoning

Chapter 18.22 – General Provisions and Standards

Section 18.22.060. Home occupations.

I. Businesses Not Permitted. Not all businesses are permitted as home occupations. The following businesses are examples of those not accepted as legitimate home occupations in residential zones under this section:

- 8. Firearm sales and services;

Longview Code of Ordinances

Current through Ordinance 3419, passed December 19, 2019.

Title 8 – Minors

Chapter 8.08 – Entry into Certain Public Places

Section 8.08.010. Pool or billiard hall – Cigarette sales – Firearms sale.

(1) Every person who:

- (c) Sells, or gives, or permits to be sold or given to any person under the age of 18 years any revolver, or pistol, is guilty of a misdemeanor.

Title 19 – Zoning

Chapter 19.44 – Commercial Zoning Districts

Section 19.44.020. Uses.

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Use	D-C	CBD	RC1	NC2	GC	O/C
Retail Sales and Service						
Repair oriented: repair of ... guns, appliances and office equipment; photo or laundry drop-off; quick printing; tailor; locksmith; and upholsterer	P	P		P	P	P

Lynnwood Code of Ordinances

Current through Ordinance 3348, passed November 12, 2019.

Title 5 – Business Regulations and Licenses

Chapter 5.82 – Secondhand Dealers

Section 5.82.010. Definitions.

D. “Secondhand dealer” means any person, firm, corporation or partnership that within the city of Lynnwood as a business engages in the purchase, sale, trade, barter, exchange or receipt of consignment sale, or otherwise transferring for value any of the following secondhand goods or items:

- 5. Any firearms as defined in LMC 10.52.050;

Section 5.82.020. License requirements – Fees.

A. It is unlawful for any person to engage in the business of secondhand dealer, as defined in LMC 5.82.010, without first procuring a license to do so, to be known as a secondhand dealer’s license. The fee for such secondhand dealer’s license shall be fixed in the sum shown in Chapter 3.104 LMC. Any specific licenses required under this chapter are separate from the business license required under 5.06 LMC.

Title 10 – Public Peace, Safety and Morals

Chapter 10.04 – Penal Cod

Article VI – Weapons

Section 10.04.510. Purchasing weapon by use of false information.

Any person who shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity shall be guilty of a misdemeanor.

Newcastle Code of Ordinances

Current through Ordinance 2019-602, passed December 3, 2019.

Title 18 – Zoning

Chapter 18.30 – Development Standards – Animals, Home Occupations, Home Industry and Secure Community Transition Facilities

Section 18.30.040. Home occupation.

C. The following activities shall be prohibited as home occupations:

7. Gun sales.

Normandy Park Code of Ordinances

Current through Ordinance 1003, passed December 10, 2019.

Title 7 – Peace Safety and Morals

Chapter 724 – Firearms and Weapons

Section 7.24.030. Delivery restricted.

No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Section 7.24.080. Possession restrictions.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

Section 7.24.110. Certain transfers forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan, shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this title.

Section 7.24.120. Alteration of identifying marks.

No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification of any pistol. Possession of any pistol upon which any such mark has been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 7.24.130. False information forbidden.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity.

Section 7.24.140. Antique pistols exempted.

This title shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Section 7.24.150. Machine guns.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer of member of the armed forces of the United States or the state of Washington.

Section 7.24.160. Machine gun defined.

For the purpose of this title, "machine gun" means any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be proposed for each shot and having a reservoir clip disc, drum, bolt, or other separable mechanical device for steering, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second.

Section 7.24.170. Machine guns or parts contraband.

All machine guns, or parts thereof, illegally held or possessed are declared to be contraband and it shall be the duty of all police officers to seize said machine gun, or parts thereof, wherever and whenever found.

Olympia Code of Ordinances
Current through Ordinance 7229, passed January 21, 2020.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.44 – Offenses By or Against Juveniles

Section 9.44.060. Firearms

- A. It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished or cause to be furnished to a minor a pistol, rifle, shotgun or similar firearm, or any ammunition for the same.
- B. It is unlawful for a minor to purchase, possess, or use any firearm or any ammunition for the same.
- C. In any prosecution under this section it is an affirmative defense that the firearm is being used or is about to be used immediately at a rifle range or that such minor is to immediately embark on a lawful animal hunt and such minor possesses a lawful hunting license and is accompanied by a person over the age of eighteen years.

Title 18 – Unified Development Code
Chapter 18.05 – Villages and Centers

Section 18.05.040. Permitted, conditional, required and prohibited uses.

B. Prohibited and unspecified uses.

Land uses which are not listed in Table 5.01 as permitted, conditional, or required uses are prohibited, unless they are authorized by the Director consistent with Section 18.02.080, Interpretations. In no event, however, shall the following uses be permitted:

- 5. Sale of firearms.

Pierce County Code of Ordinances
Current through Ordinance 2019-95, passed November 26, 2019.

Title 9 – Criminal Code
Chapter 9.32 – Dangerous Weapons Prohibited

Section 9.32.010. Definitions.

For the purpose of this Chapter, the following terms shall apply:

- A. **"Dangerous weapon"** means any device listed in subsections B. through F. of this Section.
- B. **"Destructive device"** means any:
 - 1. Explosive, incendiary or poison gas;
 - 2. Bomb;
 - 3. Grenade;
 - 4. Rocket having a propellant charge of more than four ounces;
 - 5. Missile having an explosive or incendiary charge of more than one-quarter ounce;
 - 6. Mine;
 - 7. Booby trap;
 - 8. Molotov cocktail; or
 - 9. Any similar device, other than firearms, the primary or common purpose of which is to explode and to be used as a weapon against any person or property; or
 - 10. Any combination of parts either designed or intended for use in converting any device into a destructive device as defined above from which a destructive device may be readily assembled.
- C. **"Firearm"** means any weapon or device from which a projectile may be fired by an explosive such as gunpowder.
- D. **"Firearm silencer"** means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent, or intended to lessen or muffle the noise of the firing of any gun, revolver, pistol, or other firearm.
- E. **"Sawed-off rifle"** means any rifle with overall length of less than twenty-six inches and/or barrel length of less than sixteen inches.

F. "Sawed-off shotgun" means any shotgun with overall length of less than twenty-six inches and/or barrel length of less than eighteen inches.

G. "Shotgun" means a weapon with one or more barrels intended to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger, as defined in RCW 9.41.010(5).

Section 9.32.020. Unlawful Possession, Manufacture or Disposition.

It is unlawful for any person to possess, manufacture and/or dispose of any weapon and/or device as defined in subsections B., D., E., F., and G. of Section 9.32.010.

Section 9.32.030. Changing or Obliterating Serial Number.

It is unlawful for any person to change, alter, remove or obliterate the serial number upon any firearm. Possession of any firearm upon which the serial number has been changed, altered, removed or obliterated is prima facie evidence that the possessor has changed, altered, removed or obliterated the serial number.

Section 9.32.040. Exception.

A. This Chapter shall not apply to the possession of any such weapon or device by any law enforcement officer.

B. Section 9.32.020 does not prohibit the manufacture, use, possession or disposal of any material, substance or device by those persons engaged in any lawful activity who are authorized by governmental agencies, which have lawful control over such matters, to use such items in the performance of their duties.

Raymond Code of Ordinances

Current through Ordinance 1882, passed December 17, 2018.

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.76 – Firearms and Air Rifles**

Section 9.76.010. Selling firearms or air rifles to minors prohibited.

It is unlawful for any person, firm or corporation to sell any firearms, air rifles or BB guns to minors.

Seattle Code of Ordinances

Current through Ordinance 125964. (Supplement 19)

**Title 5 – Revenue, Finance and Taxation
Chapter 5.50 – Firearms and Ammunition Tax**

Section 5.50.020. Definitions.

The definitions contained in Chapter 5.30 of the Seattle Municipal Code shall be fully applicable to this chapter except as may be expressly stated to the contrary herein. The following additional definitions shall apply throughout this Chapter 5.50:

"Ammunition" means any projectiles with their fuses, propelling charges, or primers designed to be fired from firearms. Ammunition shall include any shotgun shell and any rifle, pistol, or revolver cartridge.

"Round of ammunition" means a single unit of ammunition.

"Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"Family or household member" means "family" or "household member" as used in RCW 10.99.020.

"Firearm" means a weapon from which a projectile or projectiles may be fired by an explosive such as gunpowder.

"Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by the officer's employer to carry a concealed pistol.

"Licensed dealer" means a person who is federally licensed under 18 U.S.C. 923(a).

Section 5.50.030. Tax imposed; rates.

A. There is imposed a tax on every person engaging within the City in the business of making retail sales of firearms or ammunition. The amount of the tax due shall be equal to the quantity of firearms sold at retail and the quantity of ammunition sold at retail multiplied by the applicable tax rates that are stated in Section 5.50.030.B.

B. The tax rate shall be \$25 per firearm sold at retail, \$.02 per round of ammunition that contains a single projectile that measures .22 caliber or less sold at retail, and \$.05 per round of ammunition for all other ammunition sold at retail.

Section 5.50.040. Firearms and ammunition tax, When due

The tax imposed by this Chapter 5.50 shall be due and payable in accordance with Section 5.55.040 in the same manner as the business license tax under Chapter 5.45. Taxpayers filing and paying their business license tax on a quarterly basis shall file and pay the firearms and ammunition tax on a quarterly basis and taxpayers filing and paying their business license tax on an annual basis shall file and pay the firearms and ammunition tax on an annual basis. Forms for such filings shall be prescribed by the Director. Persons discontinuing their business activities in Seattle shall report and pay the firearms and ammunition tax at the same time as they file their final business license tax return.

Section 5.50.050. Deductions.

A. In computing the tax, the taxpayer may deduct from the measure of the tax all firearms or ammunition:

1. That the taxpayer delivers to the buyer or the buyer's representative at a location outside the State of Washington.
2. That the taxpayer sells to an office, division, or agency of the United States, or the State of Washington or any of its municipal corporations.

B. In computing the tax, the taxpayer may deduct from the measure of the tax all antique firearms.

Section 5.50.060. Exemptions.

A. A person who sells no more than one firearm within the City in any quarterly tax reporting period is exempt from the tax on the business of making retail sales of firearms for that period.

B. A person who sells fewer than 50 rounds of ammunition within the City in any quarterly tax reporting period is exempt from the tax on the business of making retail sales of ammunition for that period.

C. A licensed dealer is exempt from the tax for retail sales of firearms in which the licensed dealer's only role is to facilitate sales of firearms between two unlicensed persons by conducting background checks under chapter 9.41 RCW.

Title 6 – Business Regulations

Subtitle IV – New License Code

Chapter 6.288 – Used Good Dealers

Section 6.288.010. Definitions.

B. "Pawnbroker" means any person engaged, in whole or in part, in the business of loaning money upon the security of pledges of personal property, or deposits or conditional sales of personal property, and the purchase or sale of personal property.

G. "Used goods" means any item of personal property offered for sale not as new, including metals in any form except coins that are legal tender, but excluding books, magazines and postage stamps.

H. "Used goods dealer" means any pawnbroker, scrap metal processor, scrap metal hauler, or person engaged in the business of purchasing, selling, trading, auctioning, consignment selling, or otherwise transferring for value, used goods.

I. "School" means an educational facility of Seattle School District No. 1 or of an adjoining school district, and also means a "residential school" as that term is defined in Sections 28A.190.010 and 28A.190.020 RCW, and also means a private facility used for education now or hereafter approved as a school by the Superintendent of Public Instruction of the State of Washington under Chapter 28A.195 RCW. It does not include home-based instruction whether or not that instruction meets the requirements of Subsection 28A.225.010(4) RCW. The designation of the grounds of a school on the map of "drug-free zones" maintained in the offices of the Seattle Police Department shall be conclusive evidence that a school exists on that site for purposes of this chapter.

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

Section 6.288.040. Pawnbrokers, Location limitations.

A. No "pawnbroker" endorsement to a used goods dealer license shall be issued to conduct any pawnshop located within a distance of five hundred (500) feet from the grounds of a public, parochial or private school, if the business offers firearms for sale, has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale, unless such pawnshop was lawfully conducted at the same

location within such area by a licensed pawnbroker on December 26, 1993 and has been continuously operated at that location by the same licensee ever since, or the school was established after the pawnshop was licensed at that location.

B. A "pawnbroker" endorsement shall be issued only to conduct a pawnshop located within any of the following land use zones as those zones are mapped from time to time in the Official Land Use Map of The City of Seattle, which is part of Title 23 of the Seattle Municipal Code: C1, C2, DOC1, DOC2, DRC, DMC, DMR, PSM, IDM, IDR, DH1, DH2, PMM, IG1, IG2, IB, IC.

Section 6.288.130. Firearms dealer licenses required.

Any used goods dealer who shall engage in the purchase or sale of firearms, or in the business of lending money upon a pledge or pawn of a firearm as security for payment or repayment, shall first obtain a dealer's license pursuant to RCW 9.41.110, where applicable, and a license from the United States as a dealer.

Title 10 – Health and Safety Chapter 10.78 – Lost or Stolen Firearms

Section 10.78.010. Reporting theft or loss of firearm required

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

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

C. The failure to comply with subsection 10.78.010.A shall constitute a civil infraction subject to a civil fine or forfeiture not to exceed \$1,000.

Chapter 10.79 – Storage of Firearms

Section 10.79.010. Definitions.

For purposes of this Chapter 10.79, the following definitions apply:

A. "At-risk person" means any person who has made statements or exhibited behavior that indicates to a reasonable person there is a likelihood that the person is at risk of attempting suicide or causing physical harm to oneself or others.

B. "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder, including but not limited to any machine gun, pistol, rifle, short-barreled rifle, short-barreled shotgun, or shotgun as those terms are defined in RCW 9.41.010. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

C. "Lawfully authorized user" means any person who:

1. Is not in the unlawful possession of a firearm under RCW 9.41.040; and
2. Is not prohibited from possessing a firearm under any other state or federal law; and
3. Has the express permission of the owner to possess and use the firearm.

D. "Locked container" includes any storage device approved of or meeting specifications established by the Chief of Police by rule promulgated in accordance with Chapter 3.02.

E. "Minor" means a person under 18 years of age who is not authorized under RCW 9.41.042 to possess a firearm.

F. "Prohibited person" means any person who is not a lawfully authorized user.

Section 10.79.020. Safe storage of firearms.

It shall be a civil infraction for any person to store or keep any firearm in any premises unless such weapon is secured in a locked container, properly engaged so as to render such weapon inaccessible or unusable to any person other than the owner or other lawfully authorized user. Notwithstanding the foregoing, for purposes of this Section 10.79.020, such weapon shall be deemed lawfully stored or lawfully kept if carried by or under the control of the owner or other lawfully authorized user.

Section 10.79.030. Unauthorized access prevention

It shall be a civil infraction if any person knows or reasonably should know that a minor, an at-risk person, or a prohibited person is likely to gain access to a firearm belonging to or under the control of that person, and a minor, an at-risk person, or a prohibited person obtains the firearm.

Title 12A – Criminal Code
Subtitle I – Criminal code
Chapter 12A.06 – Offenses Against Persons

Section 12A.06.195. Court order requiring surrender of firearm, dangerous weapon or concealed pistol license.

A. In this Section 12A.06.195, the following definitions apply unless a different meaning plainly is required:

"Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

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

"Intimate partner" includes a spouse, a domestic partner, a former spouse, a former domestic partner, a person with whom the restrained person has a child in common, or a person with whom the restrained person has cohabitated or is cohabitating as part of a dating relationship.

B. When entering an order authorized under Section 12A.06.035, 12A.06.040, 12A.06.130, 12A.06.165 or 12A.06.170 and upon a showing by either clear and convincing evidence or a preponderance of the evidence, but not by clear and convincing evidence, that a party has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, that a party has previously committed any offense making the party ineligible to possess a firearm under the provisions of RCW 9.41.040 or that a party's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or to the health or safety of any person, the court shall:

1. Require the party to surrender any firearm or other dangerous weapon;
2. Require the party to surrender any concealed pistol license issued under RCW 9.41.070;
3. Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;
4. Prohibit the party from obtaining or possessing a concealed pistol license.

C. During any period of time a person is subject to a court order issued under Section 12A.06.035, 12A.06.040, 12A.06.130, 12A.06.165 or 12A.06.170 after a hearing of which the person received actual notice and at which the person had an opportunity to participate, that restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, that includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child, and, that, by its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury, the court shall:

1. Require the party to surrender any firearm or other dangerous weapon;
2. Require the party to surrender any concealed pistol license issued under RCW 9.41.070;
3. Prohibit the party from obtaining or possessing a firearm or other dangerous weapon; and
4. Prohibit the party from obtaining or possessing a concealed pistol license.

D. The court may order temporary surrender of a firearm or dangerous weapon without notice to the party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for a response has passed.

E. The requirements and prohibitions of subsections 12A.06.195.B and 12A.06.195.D may be for a period of time less than the duration of the order.

F. The court may require the party to surrender any firearm or dangerous weapon in or subject to the party's immediate possession or control to the King County Sheriff, the Seattle Chief of Police, the party's counsel or any person designated by the court.

G. A party who is ordered to surrender firearms, dangerous weapons, and the party's concealed pistol license under this Section 12A.06.195 or chapter 7.92 RCW, RCW 7.90.090, 7.90.150, 7.94.050, 7.94.090, 9A.46.050, 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.590, 26.50.060, or 26.50.070 and who knowingly fails to file with the clerk of the court that issued the order a proof of surrender and receipt form or a declaration of nonsurrender form within five judicial days of the entry of the order is guilty of a misdemeanor.

Chapter 12A.14 – Weapons Control

Section 12A.14.010. Definitions

The following definitions apply in this Chapter 12A.14:

"Curio or relic" has the same meaning as provided in 27 C.F.R. 478.11.

"Licensed collector" means a person who is federally licensed under 18 U.S.C. 923(b).

"Licensed dealer" means a person who is federally licensed under 18 U.S.C. 923(a).

"Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

"Pistol" means any firearm with a barrel less than 16 inches in length, or designed to be held and fired by the use of a single hand.

"Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"Sale" and **"sell"** mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

"Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

Section 12A.14.160. Possessing dangerous weapon on school facility.

A. It is unlawful for a person to knowingly carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

1. any firearm or air gun;

B. Any person violating subsection A of this section is guilty of a gross misdemeanor. Any person convicted of a violation of subsection A1 of this section shall have his or her concealed pistol license, if any, revoked for a period of three (3) years and is prohibited from applying for a concealed pistol license for a period of three (3) years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

C. Subsection A of this section does not apply to:

1. Any student or employee of a private military academy when on the property of the academy;

2. Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection A3 or A4 of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;

3. Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

4. Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

5. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;

6. Any nonstudent at least eighteen (18) years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

7. Any nonstudent at least eighteen (18) years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

8. Any law enforcement officer of the federal, state, or local government agency.

Section 12A.14.180. Unlawful delivery of pistol by dealer.

A. No dealer may deliver a pistol to the purchaser thereof until:

1. The purchaser produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection D of this section. For purposes of this subsection A1, a "valid concealed pistol license" does not include a temporary emergency license, and does not include any license issued before July 1, 1996, unless the issuing agency conducted a records search for disqualifying crimes under RCW 9.41.070 at the time of issuance; or

2. The dealer is notified in writing by the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.070 and that the application to purchase is approved by the chief of police or sheriff; or
3. The results of all required background checks are known and the purchaser or transferee is not prohibited from owning or possessing a firearm under federal or state law; or
4. Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive 90 days, then the time period in this subsection 12A.14.180.A.4 shall be extended from ten business days to 60 days.

B. A dealer shall use the state system and national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.

C. In any case under this section 12A.14.180 where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol until the warrant for arrest is served and satisfied by appropriate court appearance.

D.

1. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the dealer an application containing his or her full name, residential address, date and place of birth, race, and gender; the date and hour of the application; the applicant's driver's license number or state identification card number; a description of the pistol including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol. If the manufacturer's number is not available, the application may be processed, but delivery of the pistol to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides; and a statement that the purchaser is eligible to possess a pistol under RCW 9.41.040.

2. The application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution.

3. The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms, firearms safety, and the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

4. The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsection A of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol to the purchaser following the period of time specified in this section unless the dealer is notified of an investigative hold under RCW 9.41.090(4) writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof.

E. For purposes of this section, "**dealer**" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

F. This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

G. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.185. Unlawful delivery of firearm by licensed dealer.

A. Except as otherwise provided in this Chapter 12A.14, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

1. The results of all required background checks are known and the purchaser or transferee is not prohibited from owning or possessing a firearm under federal or state law; or

2. Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive 90 days, then the time period in this subsection shall be extended from ten business days to 60 days.

B. Any person violating any provision of this Section 12A.14.185 is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.190. Unlawful sales by a dealer.

A. No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol, any firearm other than a pistol or any ammunition without being licensed as provided in RCW 9.41.110

B. For purposes of this section, "**dealer**" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

C. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Section 12A.14.195. Unlawful sale or transfer of firearm.

A. No person shall sell or transfer a firearm unless:

1. The person is a licensed dealer; or
2. The purchaser or transferee is a licensed dealer; or
3. The requirements of subsection 12A.14.195.B are met.

B. Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

1. The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.
2. Except as provided in subsection 12A.14.195.B.1, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements and fulfilling all federal and state recordkeeping requirements.
3. The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.
4. If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.
5. The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

C. It is an affirmative defense to a charge of violating subsection 12A.14.195.A, which the defendant must prove by a preponderance of the evidence, that the sale or transfer is:

1. A transfer that is a bona fide gift or loan between immediate family members, which for this subsection 12A.14.195.C.1 shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles;
2. The sale or transfer of an antique firearm;
3. A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

- a. The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and
 - b. The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;
4. A temporary transfer of possession of a firearm if:
- a. The transfer is intended to prevent suicide or self-inflicted great bodily harm;
 - b. The transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and
 - c. The firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;
5. Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;
6. A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;
7. The temporary transfer of a firearm:
- a. Between spouses or domestic partners;
 - b. If the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located;
 - c. If the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;
 - d. To a person who is under 18 years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms;
 - e. Under circumstances in which the transferee and the firearm remain in the presence of the transferor; or
 - f. While hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting;

A temporary transfer allowed by this subsection 12A.14.195.C.7 is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

- 8. A person who either acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding 60 days. At the end of the 60-day period, the person must either have lawfully transferred the pistol or must have contacted the Washington State Department of Licensing to notify the Department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or
- 9. A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

D. Any person violating any provision of this Section 12A.14.195 is guilty of a gross misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved. Each firearm sold or transferred without complying with the background check requirement of this Section 12A.14.195 is a separate offense.

Section 12A.14.200. Altering identifying marks of firearm.

A. No person may change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same.

B. This section shall not apply to replacement barrels in old firearms, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business. This section also shall not apply if the changes do not make the firearm illegal for the person to possess under state or federal law.

C. Any person violating any provision of this section is guilty of a misdemeanor, subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved.

Shoreline Code of Ordinances

Current through Ordinance 881, passed January 27, 2020.

Title 20 – Development Code

Chapter 20.40 – Zoning and Use Provisions

Subchapter 3 – Index of Supplemental Use Criteria

Section 20.40.374. General retail trade/services.

These general retail trade/services are prohibited in the MUR zones:

- D. Firearm sales;

Spokane County Code of Ordinances

Current through Resolution 2019-1420, passed October 22, 2019. (Supplement 52, Update 1)

Title 6 – Police and Safety

Chapter 6.05 – Firearms and Weapons

Section 6.05.010. Definitions.

Terms used in this Chapter shall have the meanings herein given to them.

"**Person**" shall mean every natural person, fire co-partnership, corporation, association or organization.

"**Pistol**" shall mean any firearm with a barrel less than twelve inches in length.

Section 6.05.050. Persons prohibited from owning or possessing pistol.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

Section 6.05.070. Giving of false information prohibited.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 6.05.080. Alteration of identifying marks prohibited.

No person shall change, alter, remove, or obliterate the name of the maker, model manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same; provided, this section shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Squaxin Island Tribe Code of Ordinances

Current through Resolution 19-58, adopted September 12, 2019. (Supplement 18)

Title 9 – Law and Order

Chapter 9.12 – Law and Order Code

Article XXI – Firearms

Section 9.12.810. Definitions.

B. "Firearm" shall be defined as a weapon or device from which a projectile may be fired by an explosive such as gunpowder. Air guns and other guns fired by the release of compressed gas are firearms. Firearm shall also include any explosive, incendiary, or poison gas: (i) bomb; (ii) grenade; (iii) rocket having a propellant charge of more than four ounces; (iv) missile having an explosive or incendiary charge of more than one-quarter ounce; (v) mine; or (vi) similar device.

C. "Machine gun" shall be defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other 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.

D. "Shot firearm" or "pistol" as used in this chapter means any firearm with a barrel less than twelve (12) inches in length.

Section 9.12.825. Certain persons forbidden to possess firearms.

No person who has been convicted under this code or elsewhere of a crime of violence or of a felony in which a firearm has been used or displayed, shall own a pistol or short firearm or have one in his or her possession or under his or her control. Such person upon being convicted of a violation of this section shall be guilty of a felony.

Section 9.12.840. Sale or possession of machine guns, other guns.

A. No person shall sell, furnish, manufacture, or have in possession any:

1. Machine gun or any part thereof capable of use for assembling or repairing any machine gun;
2. Shotgun having a barrel(s) of less than eighteen (18) inches in length;
3. Weapon made from a shotgun if such a weapon as modified has an overall length of less than twenty-six (26) inches or a barrel(s) of less than eighteen (18) inches in length;
4. Rifle having a barrel(s) of less than sixteen (16) inches in length; or
5. Weapon made from a rifle if such weapon as modified has an overall length of less than twenty-six (26) inches or a barrel(s) of less than sixteen (16) inches in length.

B. No person shall set a spring gun.

C. Any violation of this section shall be a felony.

Section 9.12.860. Possession of firearms by a minor.

A. No minor under sixteen (16) years shall have in possession any firearm for hunting, target practice or any other purpose except;

1. While accompanied by or under the immediate charge of his or her parent or guardian or other adult approved for the purpose of this section by the parent or guardian; or
2. While under the supervision of a certified safety instructor at an established gun range or firearm training class.

Section 9.12.865. Delivery of pistol to certain persons.

A. No person shall deliver a pistol to any person under the age of twenty-one (21) years, or to one who he or she has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

B. Any violation of this section is a misdemeanor.

Section 9.12.875. Alteration of identifying marks.

A. No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any firearm. Possession of any firearm upon which any such mark has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor changed, altered, removed, or obliterated the same.

B. Any violation of this section is a misdemeanor.

Sumas Code of Ordinances

Current through Resolution 1749, passed July 8, 2019.

**Title 4 – Business Licenses and Regulations
Chapter 4.05 – Pawnbrokers**

Section 4.05.050. Prohibited transactions.

It is unlawful for any licensee, his agent, employee or representative to:

- (3) To purchase, store or offer for sale or trade any new or used vehicles as defined under RCW 46.04.670; boats or other manufactured items which require registration with the Washington Department of Licensing; or any firearms, ammunition or deadly weapons defined as such under Chapter 9.41 RCW.

**Title 8 – Offenses – Peace, Safety and Morals
Chapter 8.44 – Firearms**

Section 8.44.040. Possession-restrictions.

No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

Section 8.44.090. Sales regulated.

No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, the pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, birthplace, the date and hour of application, the calibre, make, model and manufacturer's number of the pistol to be purchased and statement that he has never been convicted in this state or elsewhere of a crime of violence. The seller within six hours after the application shall sign and attach his address and forward by registered mail one copy of the statement to the chief of police; and the duplicate duly signed by the seller shall within seven days be sent by him with his address to the director of licenses; the triplicate he shall retain for six years. This section shall not apply to sales at wholesale.

Section 8.44.100. Dealers to be licensed.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.4 1.110.

Section 8.44.110. Certain transfers forbidden.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this chapter.

Section 8.44.120. Alteration of identifying marks prohibited.

No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 8.44.130. False information forbidden.

No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity.

Section 8.44.140. Exceptions.

This chapter does not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Section 8.44.150. Machine guns – prohibition.

It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

Section 8.44.160. Machine gun defined.

For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other 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 the weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second. (Ord. 654 § 7.16, 1968)

Section 8.44.170. Machine guns or parts contraband.

All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband, and it shall be the duty of all police officers to seize the machine gun, or parts thereof, wherever and whenever found.

Sumner Code of Ordinances

Current through Ordinance 2721, passed December 2, 2019.

Title 18 – Zoning

Chapter 18.16 – Commercial Districts (NC, CBD, GC, IC, MUD)

Section 18.16.080. Performance standards.

The following special requirements and performance standards shall apply to properties located in the commercial districts:

K. Businesses selling firearms are prohibited from locating within 500 feet of public or private schools including preschools, elementary, junior high, and high school facilities.

Thurston County Code of Ordinances

Current through Ordinance 15852, adopted December 10, 2019. (Supplement 63, 1-20)

**Title 23 – Olympia Urban Growth Area Zoning
Chapter 23.05 – Villages and Centers**

Section 23.05.040. Permitted, special, required, and prohibited uses.

B. Prohibited and Unspecified Uses. Land uses which are not listed in Table 5.01 as permitted, special, or required uses are prohibited, unless they are authorized by the director consistent with Section 23.02.080, Interpretations. In no event, however, shall the following uses be permitted:

5. Sale of firearms;

Washougal Code of Ordinances

Current through Ordinance 1900, passed December 2, 2019.

**Title 9 – Public Peace, Safety and Morals
Chapter 9.28 – Dangerous Weapons**

Section 9.28.010. Firearm possession prohibited to person convicted of violent crime.

No person who has been convicted in this state or elsewhere of a crime of violence shall own a firearm or have one in his possession under his control.

Section 9.28.040. Pistol – License issuance, fee.

The chief of police shall within 30 days after the filing of an application of any person, issue a license to such person to carry a pistol concealed on his person within this state for not more than one year from date of issue, for the purposes of protection or while engaged in business, sport or while traveling. Such citizen's constitutional right to bear arms shall not be denied to him, unless there exists a record of his prior court conviction of a crime of violence, or of drug addiction or of habitual drunkenness or of confinement to a mental institution. The license shall be in triplicate in form to be prescribed by the State Director of Motor Vehicles, and shall bear the name, address, description and signature of the licensee and the reason given for desiring a license. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the Director of Motor Vehicles and the triplicate shall be preserved for six years, by the authority issuing the license. The fee for such license shall be \$1.00 which shall be paid into the city treasury.

Section 9.28.050. Pistol – Issuance restrictions.

No person shall deliver a pistol to any person under the age of 21 or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a habitual drunkard, or of unsound mind.

Section 9.28.060. Pistol – Purchase procedure.

No seller shall deliver a pistol to the purchaser thereof until 72 hours shall have elapsed from the time of the application for the purchase thereof as provided herein, and, when delivered, the pistol shall be securely wrapped and unloaded.

At the time of applying for the purchase of a pistol the purchaser shall sign in duplicate and deliver to the seller an application containing his full name, address, occupation, place of birth, and the date and hour of the application; and a description of the weapon including the make, model, caliber and manufacturer's number; and a statement that he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, or is legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police of the municipality or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following 72 hours thereafter unless the seller is notified in writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds. The application shall not be denied unless the purchaser has been convicted in this state or elsewhere of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind. The chief of police of the municipality or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

Section 9.28.070. Pistol – Retail dealer – License required.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110, as the same now is or hereafter may be amended.

Section 9.28.080. Pistol – Loan security provisions.

No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.28.090. Pistol – Identification alteration prohibited.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same. This shall not apply to replacement barrels in old revolvers, which barrels are produced by current manufacturers and therefore do not have the markings on the barrels of the original manufacturers who are no longer in business.

Section 9.28.100. Pistol – False information to obtain, prohibited.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

Section 9.28.110. Antique – Chapter exemptions.

The provisions of this chapter shall not apply to antique pistols and revolvers manufactured prior to 1898 and held as collector's items.

Section 9.28.120. Machine guns, illegally held, declared contraband.

All machine guns, or parts thereof, illegally held or possessed are declared to be contraband, and it shall be the duty of all police officers to seize the machine gun, or parts thereof, wherever and whenever found.

Section 9.28.130. Sale, manufacturing restrictions.

Every person who shall manufacture, sell or dispose of, or have in his possession, any instrument or weapon of the kind usually known as slingshot, sand club, zipgun, or metal knuckles; shall furtively carry, or conceal any dagger, dirk, knife, or other dangerous weapon or firearm; or who shall use any contrivance or device for suppressing the noise of any firearm, shall be guilty of a misdemeanor.

Section 9.28.140. Firearm defined.

"Firearm" includes but is not limited to mean any weapon or device capable of propelling a missile through the force of combustion or explosion of gunpowder or similar substance.

Westport Code of Ordinances

Current through Ordinance 1629, passed November 21, 2019.

Title 9 – Peace, Safety and Morals

Chapter 9.56 – Weapons

Section 9.56.010. Record of sales of revolvers – Inspection – Daily report.

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 revolver or pistol to any person at retail, without entering in a book to be kept for that purpose, in the English language, written in ink, at the time of such sale or disposition, the name of the manufacturer, the number and caliber of such revolver or pistol, the name and address of the person to whom sold, given away or disposed of and the date of such sale, gift or disposition and requiring the person to whom such revolver or pistol is sold, given away or disposed of to sign his name, in ink, in such a book opposite the record of such transaction, or to fail, neglect or refuse to allow the chief of police or any police officer to inspect the record book at any reasonable time or to fail, neglect or refuse to send to the city clerk before the hour of 9:00 a.m. of any day, a complete transcript of the entries of the record book for the previous day.

Section 9.56.070. Dangerous weapons on school facilities prohibited.

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

(A) Any firearm;

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(A) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the Department of Licensing, and the city, town or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation.

(3) Subsection (1) of this section does not apply to:

- (A)** Any student or employee of a private military academy when on the property of the academy;
- (B)** Any person engaged in military, law enforcement, or school district security activities;
- (C)** Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
- (D)** Any person while the person is participating in a firearms or air gun competition approved by the school or school district;
- (E)** Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;
- (F)** Any nonstudent at least 18 years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
- (G)** Any nonstudent at least 18 years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or
- (H)** Any law enforcement officer of the federal, state, or local government agency.

(5) Except as provided in subsection (3)(B), (C), (D) and (E) of this section, firearms are not permitted in a public or private school building.

Section 9.56.080. Delivery to ineligible persons.

No person may deliver a firearm to any person whom he or she has reasonable cause to believe is ineligible under RCW 9.41.040 to possess a firearm. Any person violating this section is guilty of a Class C felony, punishable under Chapter 9A.20 RCW.

Section 9.56.100. Possession of pistol by person from 18 to 21.

Unless an exception under RCW 9.41.042, 9.41.050 or 9.41.060 applies, a person at least 18 years of age, but less than 21 years of age, may possess a pistol only:

- (1)** In the person's place of abode;
- (2)** At the person's fixed place of business; or
- (3)** On real property under his or her control.

Whitman County Code of Ordinances
Current through Ordinance 82350. (Supplement 17)

Title 19 – Zoning Code
Chapter 19.31 – Heavy Industrial District (HI)

Section 19.31.080. Conditional Uses and Administrative Permits.

A. Conditional Uses. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Heavy Industrial District unless a Conditional Use Permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an Administrative Use Permit may be granted in lieu of a Conditional Use Permit, the use of the land shall not be permitted until such time as an Administrative Use Permit has been granted by the County Planning Office:

- 4.** Storage, manufacture or distribution of ammunition, explosives or other products with a designated destructive potential.

Woodland Code of Ordinances

Current through Ordinance 1426, passed December 17, 2018. (Supplement 35)

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.72 – Parental Responsibility**

Section 9.72.080. Firearms.

- A.** It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished or cause to be furnished to any minor a pistol, rifle, shotgun or similar firearm, or any ammunition for the same.
- B.** It is unlawful for a minor to purchase, possess, or use any firearm or any ammunition for the same.
- C.** In any prosecution under this section it is an affirmative defense that the firearm is being used or is about to be used immediately at a rifle range or that such minor is to immediately embark on a lawful animal hunt and such minor possesses a lawful hunting license and is accompanied by a person over the age of eighteen years.
- D.** Violation of this section is a misdemeanor.

Yacolt Code of Ordinances

Current through Ordinance 577, passed December 2, 2019.

**Title 18 – Zoning
Chapter 18.35 – Light Manufacturing District (ML)**

Section 18.35.020. Uses.

Table 6A lists examples of allowable uses in the ML district. Review of all proposed manufacturing uses is mandatory.

Table 6A

“C” – Conditional uses which may be permitted subject to the approval of a conditional use permit;

	ML
B. Assembly – Manufacture of Products	
15. Manufacture of guns.	C

Yakima Code of Ordinances

Current through Ordinance 2019-0049, passed December 10, 2019.

**Title 15 – Yakima Urban Area Zoning Ordinance
Chapter 15.04 – Permitted Land Uses**

Section 15.04.120. Home occupations.

H. Home Occupations Not Permitted. The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home occupations:

- 13. Firearm sales and/or gunsmith.

Yakima County Code of Ordinances

Current through Ordinance 2-2020, passed January 14, 2020.

**Title 19 – Unified Land Development Code
Chapter 19.14 – Allowable Land Use Table**

Section 19.14.010. Allowable Land Use Table.

(1) The following Table 19.14-1 indicates those uses which may be permitted through Type 1, 2, 3 or 4 review in the various zoning districts defined in this title. In addition to Table 19.14-1, reference to the individual zoning districts and, where indicated, the notes following the table and definitions of 19.01.070, is necessary in order to determine if any specific requirements apply to the listed use.

(2) Uses. The uses set out in Table 19.14-1 are examples of uses allowed in the various zoning districts defined in this title. The appropriate review authority is mandatory. See YCC Title 16B for more explicit definitions of Type 1, 2, 3, and 4 uses/reviews.

“Type 2” Uses allowed upon Type 2 administrative review and approval as set forth in Section 19.30.030 uses subject to review and approval. Type 2 uses require administrative review by the Administrative Official and may be referred to the Hearing Examiner.

“Type 3” Uses which may be authorized subject to the approval of a conditional use permit as set forth in Section 19.30.030. Type 3 conditional uses are not generally appropriate throughout the zoning district. Type 3 uses require Hearing Examiner review of applications subject to a Type 3 review under the procedures of Section 19.30.100 and YCC Subsection 16B.03.030(1)(c).

“Blank” Uses specifically prohibited.

A higher level of review may be required for a use located within one or more overlay districts, designated in Chapter 19.17, or where circumstances merit a higher level of review as described in Section 19.30.030. Where a use is not listed, it is specifically prohibited or subject to a similar use interpretation in Chapter 19.31.

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2	
Manufacturing																				
Explosives and ammunition																			3	2

Chapter 19.18 – Special Uses and Standards

Section 19.18.240. Home Businesses.

(5) Uses Not Permitted as Home Businesses in Urban Growth Areas, RT, or RS Zones. In addition to the uses listed above, the following uses have characteristics that would impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses listed below shall not be permitted as home businesses within Urban Growth Areas or areas zoned Rural Transitional or Rural Settlement:

- (f) Firearms sales, except orders by mail, and/or gunsmiths.

Yelm Code of Ordinances

Current through Ordinance 1058, passed January 28, 2020.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.32 – Weapons

Section 9.32.010. Definitions.

The following definitions shall apply to this chapter:

- A. “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.
- B. “Pistol”** means any firearm with a barrel less than 12 inches in length.
- C. “Shotgun, rifle or muzzle-loading firearm”** means any firearm with a barrel more than 12 inches in length.

Section 9.32.020. Pistol – Forbidden to certain persons.

No person, who has been convicted, in this state or elsewhere of a crime of violence, who is a drug addict, or who has been confined in a mental institution, shall own a pistol or have one in his possession or under his control.

Section 9.32.050. Pistol – Delivery to certain persons prohibited.

No person shall deliver a pistol to any person under the age of 18 years or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, or of unsound mind.

Section 9.32.060. Pistol – Retail dealers – License required.

No retail dealers shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

Section 9.32.070. Pistol – Certain transfers restricted – Dealers’ recordkeeping requirements.

No persons other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of any pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as they are provided by law for pawnbrokers and secondhand dealers as provided by Chapter 19.60 RCW. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

Section 9.32.080. Pistol – Alteration of identifying mark prohibited – Possession deemed prima facie evidence.

No person shall change, alter, remove or obliterate the name of the maker, model, manufacturer’s number or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered,

removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 9.32.090. Pistol – False information for procuring prohibited.

No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.