

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5209

AN ORDINANCE regarding the disposition of confiscated, forfeited and released firearms and adding a new section 4.32.080 to Chapter 4.32 of the Bellevue City Code.

WHEREAS, the City of Bellevue Police Department annually confiscates firearms used by persons committing crimes within the City and holds such firearms for evidentiary use by the prosecuting attorney in subsequent legal proceedings; and

WHEREAS, the City of Bellevue Police Department also accepts firearms from owners who wish to have them destroyed; and

WHEREAS, RCW 9.41.098(2)(a) allows for the disposition of confiscated and forfeited firearms in any manner determined by the local legislative authority; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new section 4.32.080, Disposition of Confiscated, Forfeited and Released Firearms, is hereby added to the Bellevue City Code, to read as follows:

4.32.080 Disposition of confiscated, forfeited and released firearms.

All firearms taken into the custody of the Bellevue Police Department, not retained for law enforcement use and no longer needed for evidence, shall be disposed of as follows:

A. Antique firearms and firearms recognized as curios, relics and firearms of particular historical significance by the United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms shall be disposed of by auction or trade to licensed dealers;

B. Firearms lawful to possess that have been ordered by a court of competent jurisdiction to be returned to the owner under RCW 9.41.098(3), or for which a timely claim has been filed by the owner under RCW 63.32.010, shall be returned to the owner;

C. The Bellevue Police Department may retain legal forfeited firearms for law enforcement use as determined by the Chief of Police.

D. All other firearms that are judicially or administratively forfeited, forfeited due to failure to timely claim them following notice from the City pursuant to Chapter 63.32 RCW, or released by their owner to the Department for destruction shall be destroyed.

Section 2. Effective Date. This ordinance shall take effect and be in force thirty (30) days after passage by the City Council.

Passed by the City Council this 3rd day of April, 2000, and signed in authentication of its passage this 3rd day of April, 2000.

(SEAL)

Chuck Mosher, Mayor

Approved as to form:
Richard L. Andrews, City Attorney
Richard Gidley, Deputy City Attorney

Attest:
Myrna L. Basich, City Clerk
Published April 7, 2000