

## Chapter 9.44

### WEAPONS

#### Sections:

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**9.44.010** **Carrying concealed weapons.** It is unlawful for any person to carry or wear concealed upon his person, or concealed in any vehicle, a weapon, consisting of either a pistol, revolver, or other firearm, or any knife the blade of which is in excess of four inches, or any other dangerous weapon or instrument which is commonly used to inflict injury upon the person of another. For the purpose of this section the terms "pistol," "revolver," or "other firearm" means and includes all weapons capable of discharging a projectile by means of compressed air, chemical, combustion, black powder, or otherwise, and having a barrel less than twelve inches in length. This section shall not apply to peace officers or other persons authorized by law or licensed by an authorized official to carry such concealed weapons. (Ord. 325, 1978.)

**9.44.020** **Discharging firearms.** It is unlawful for any person willfully and without lawful authority to fire, set off, or discharge any bomb, gun, pistol or firearm of any kind in the city, except that this subsection shall not apply:

- A. To police officers while in the discharge of their lawful duties;
- B. To persons practicing target shooting in a duly licensed shooting gallery or at a target range maintained and operated by a law enforcement agency or by an organized rifle or gun club affiliated with a national shooting organization;  
or
- C. To persons firing, setting off or discharging shotguns in areas within the city limits designated by the city council by resolution as areas in which hunting with shotguns is permitted and at times during which hunting is legally permitted. (Ord. 325, 1978.)

**9.44.030**      **Discharging airguns or bows and arrows.**

- A.      It is unlawful for any person to shoot or discharge any air pistol, air rifle or other air gun or bow and arrow or crossbow recklessly or with intent to do bodily injury to another or to destroy or damage property. For the purpose of this section a person shall be presumed to have acted recklessly or with intent to do bodily injury to another or to destroy or damage property when it is shown that any pellet, arrow, or like projectile has struck, lodged, or otherwise been carried onto public property or private property owned by any person other than the person discharging the air pistol, air rifle or other air gun or bow and arrow or crossbow. In any criminal prosecution brought pursuant to this section this presumption shall continue unless and until the same is rebutted by other competent evidence.
  
- B.      For the purpose of this section the term "recklessly" means a willful and wanton disregard for the safety of persons or property. (Ord. 325, 1978.)

**9.44.040**      **Discharging airguns--By minors.** It is unlawful for any person under the age of fourteen years to shoot or discharge any air pistol, air rifle, or other air gun within the city limits of the city unless such person is accompanied and supervised by a parent, guardian, or other adult over the age of twenty-one years. (Ord. 325, 1978.)

**9.44.050**      **Penalty.** Every person convicted of a violation of the provisions of this chapter shall be guilty of a gross misdemeanor. (Ord. 325, 1978.)

**9.44.060**      **Confiscation of weapons.** Upon conviction of any person for violating any provisions of this chapter, the chief of police shall confiscate the firearm or other weapon or instrument carried, concealed or discharged in violation of this chapter, and shall dispose of the same in the manner provided for the disposal of unclaimed property unless such disposal is contrary to law. (Ord. 325, 1978.)

**9.44.070**      **Exemption.** The jurisdiction of Benton City, Washington, shall be exempt from the prohibitions set forth in subsection (4) of RCW 9.41.050 as presently enacted or hereafter amended. This exemption is enacted pursuant to RCW 9.41.050(6). (Ord. 604, September 1994.)