

# ORIGINAL

## ORDINANCE NO. 124

**AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING ORDINANCE NO. 29, TO INCLUDE THE DEFINITION OF 'FIREWORKS'; PROHIBITING THE SALE AND DISCHARGE OF FIREWORKS ON DECEMBER 31, 1995, AND THEREAFTER ON DECEMBER 31ST AND JANUARY 1ST OF EACH YEAR; AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, recent amendments to Chapter 70.77 RCW creating new state fireworks regulations necessitate review of Ordinance No. 29 with the City of Woodinville; and

**WHEREAS**, the definition of the term "fireworks" as set forth in Chapter 70.77.126 RCW has been amended to include federal fireworks classifications, and such definitions are not reflected in Ordinance No. 29 with the City of Woodinville; and

**WHEREAS**, the Legislature amended Chapter 70.77.395 RCW, legalizing the sale, purchase, use and discharge of common fireworks from twelve noon on June 28th through twelve noon on July 6th of each year, except between the hours of eleven p.m. and nine a.m., through twelve midnight. In addition, the Legislature legalized the sale, purchase, use and discharge of common fireworks on December 31st from six p.m. until one a.m. on January 1st of the subsequent year; and

**WHEREAS**, the Legislature amended Chapter 70.77.250 RCW providing that local regulations on fireworks which are more restrictive than state law shall have an effective date no sooner than one year after their adoption; and

**WHEREAS**, in light of the amendments to Chapter 70.77.395 RCW, the Legislature authorized municipalities to prohibit the sale or discharge of fireworks on December 31, 1995, provided that the municipality enact an ordinance prohibiting the same on or before June 16, 1995; and

**WHEREAS**, the City Council finds it in the public interest to continue the sale or discharge of fireworks within the City on the dates and time set forth in Ordinance No. 29, and to specifically exclude sale and discharge of fireworks on December 31, 1995, in order to protect the public health, safety and welfare:

# ORIGINAL

WHEREAS, the benefit to the public health, safety, and welfare is sufficient to warrant that an emergency exists, and the provisions of this ordinance take effect immediately. NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, DOES ORDAIN AS FOLLOWS:

Section 1. A new section, Subsection 6N is hereby created to read as follows:

## **Definitions.**

A. "Fireworks" means any composition or device, in a finished state, containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and classified as common or special fireworks, by the United State Bureau of Explosives or contained in the regulations of the United States Department of Transportation and designated as U.N. 0335 1.3G or U.N. 0336 1.4G, as now or hereafter amended.

Section 2. Section 7 of Ordinance No. 29 is hereby amended to read as follows:

No permit holder shall offer for retail sale, expose for retail sale or sell any fireworks within the City except from 12:00 noon until 11:00 p.m. on the 28th day of June, 9:00 a.m. until 11:00 p.m. on the 29th day of June through the 3rd day of July, and from 9:00 a.m. until 11:00 p.m. on the 4th day of July of any year. No common fireworks shall be sold, offered for sale or exposed for sale within the City on December 31, 1995. No common fireworks shall be sold, offered for sale, or exposed for sale within the City on December 31st on January 1st of any year thereafter. Except as authorized by a state license and City of Woodinville permit granted pursuant to RCW 70.77.260(2) (public display) or RCW 70.77.311(2) (use by group or individual for religious or other specific purpose on approved date and an approved location). No person shall ignite or discharge any fireworks within the city of Woodinville except on July 4th of any year between the hours of 9:00 a.m. and 11:00 p.m. No person shall ignite or discharge any fireworks within the city on December 31, 1995. No person shall ignite or discharge any fireworks within the city on December 31st and January 1st of any year thereafter.

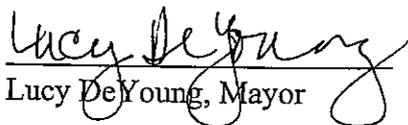
# ORIGINAL

No person shall discharge without a permit, any common fireworks upon any city of publicly owned parks.

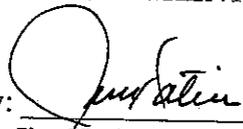
Section 3. Effective Date. This ordinance shall be in full force and effect upon adoption and shall be considered an emergency to protect the health, safety and public peace of the citizens of Woodinville.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12th OF JUNE, 1995.

APPROVED:

  
Lucy DeYoung, Mayor

ATTEST/AUTHENTICATED:

By:   
Jim Katica  
City Clerk/Treasurer

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By:   
Wayne Tanaka  
City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL: June 12, 1995  
PUBLISHED: June 19, 1995  
EFFECTIVE DATE: June 12, 1995  
ORDINANCE NO. 124