

ORDINANCE NO. O2016-007-S1

AN ORDINANCE of the City Council of the City of Tumwater, Washington, related to fireworks and amending Chapter 8.30 of the Tumwater Municipal Code, as more particularly set forth herein.

WHEREAS, the Tumwater City Council finds that it is necessary for the public health, safety and welfare to regulate, prevent and prohibit conditions which may increase fire hazards and other safety and health hazards; and

WHEREAS, the Tumwater City Council finds that preventing fires is essential to protecting personal safety, homes, and other property, maintaining a safe City, preserving wildlife habitat, and defending water quality from fire-triggered landslides and sediment; and

WHEREAS, the Council also finds that the City needs to be able to respond promptly to fire risks in order to prevent fires, particularly during hot, dry weather in the summer months and it is in the best interest of the City to provide flexibility to promptly and efficiently respond to fire risk conditions; and

WHEREAS, the sale and discharge of consumer fireworks is governed by state law, as contained in Chapter 70.77 RCW, and its implementing regulations, as contained in Chapter 212-17 WAC; and

WHEREAS, pursuant to RCW 70.77.250(4), cities may enact ordinances that are more restrictive than state law provided an effective date is no sooner than one year from the date of adoption; and

WHEREAS, the purpose of this amendment is to provide flexibility to promptly and efficiently respond to risk conditions; and

WHEREAS, the City Council finds the proposed amendments support the health, safety and welfare of the residents of the city of Tumwater.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 8.30.065 is hereby added to the Tumwater Municipal Code to read as follows:

8.30.065 Prohibition due to extreme fire danger.

During periods of extreme fire danger, the fire chief or his/her designee may, upon a finding that there is an immediate threat to life or property from the use of

fireworks, temporarily restrict or prohibit the discharge of fireworks within the city.

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective one (1) year after passage, approval and publication as provided by law.

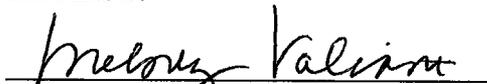
ADOPTED this 21st day of June, 2016.

CITY OF TUMWATER

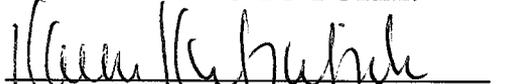


Pete Kmet, Mayor

ATTEST:


Melody Valiant, City Clerk

APPROVED AS TO FORM:


Karen Kirkpatrick, City Attorney

Published: 07-01-2016

Effective Date: 07-01-2017