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## Chapter 5.20 FIREWORKS

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### 5.20.010 Permit – Required.

It is unlawful to sell, transfer, contract to sell or transfer, or accept orders for the sale or transfer of any fireworks within the unincorporated areas of Whatcom County without a valid permit as provided in this chapter and under county code Chapter 15.16. (Ord. 93-027; prior code § 4.40.010).

### 5.20.020 Permit – License required.

No permit shall be granted unless the applicant has obtained, and has in force, a valid and subsisting license as required by chapter [70.77](#) RCW. (Ord. 93-027; prior code § 4.40.060).

### 5.20.030 Permit – Application.

Any adult person desiring to do any act provided in Section 5.20.010 may make written application for a permit to the Whatcom County fire marshal at least 10 days prior to the effective date of such permit. (Ord. 93-027; prior code § 4.40.020).

#### 5.20.040 Permit – Application – Requirements.

The application for permit must be signed by the applicant. Each application must be accompanied by proof of a valid and existing license as required in Section 5.20.020. (Ord. 93-027; prior code § 4.40.030).

#### 5.20.050 Permit – Application – Investigation – Power to restrict or deny.

A. Each application for permit shall be investigated and reviewed by the fire marshal.

B. The Whatcom County fire marshal expressly reserves the power, in his/her discretion, to deny such application, or to grant it subject to reasonable restrictions or conditions as he/she shall prescribe for public safety or welfare. (Ord. 93-027; prior code § 4.40.070).

#### 5.20.060 Permit – Fee.

Each application for permit must be accompanied by an annual permit fee as set forth in Section 15.16.050 of this code. (Ord. 93-027; prior code § 4.40.040).

#### 5.20.070 Permit – Termination.

Each permit granted under the provisions of this chapter is expressly issued subject to the condition that it shall automatically and forthwith cease and terminate coincidentally with the revocation or termination of the state license mentioned in Section 5.20.020. (Ord. 93-027; prior code § 4.40.080).

#### 5.20.080 Permit – Location requirements.

A permit shall be required for each and every separate location or place of business, or delivery point at which fireworks are transferred, sold, or delivered to purchasers. (Ord. 93-027; prior code § 4.40.050).

#### 5.20.090 Period of sale.

Fireworks may only be sold or offered for sale under this chapter from 12:00 noon on June 28th to 12:00 noon on July 6th during the year for which the permit has been issued. No sales will be made between the hours of 11:00 p.m. and 8:00 a.m. on any day. (Ord. 93-027; prior code § 4.40.090).

#### 5.20.095 Period of use.

Consumer fireworks may be used or discharged as follows:

A. Between the hours of 6:00 p.m. and 11:00 p.m. on July 3rd;

B. Between the hours of 6:00 p.m. and 12:00 midnight on July 4th;

C. Between the hours of 6:00 p.m. and 11:00 p.m. on July 5th;

D. Between the hours of 6:00 p.m. on December 31st and 1:00 a.m. on January 1st of the subsequent year, and as provided in RCW [70.77.311](#). (Ord. 2015-026 Exh. A).

#### 5.20.100 Seizure.

Any fireworks which are illegally sold, offered for sale, used, discharged, or possessed in violation of this chapter shall be subject to seizure by the State Fire Marshal, his deputy, the sheriff, or his deputy. Any fireworks seized under the provisions of this section will be delivered to the State Fire Marshal or his deputy for disposition as provided under chapter [70.77](#) RCW. (Ord. 93-027; prior code § 4.40.100).

#### 5.20.105 Special circumstances.

If/when Whatcom County issues a ban on outdoor burning or if/when other extenuating emergency conditions exist, all discharge of private fireworks may be prohibited until the ban is lifted or the

emergency condition(s) are mitigated or cease to exist, at the discretion of and by order of the county executive, in coordination with the county fire marshal and the county sheriff. (Ord. 2015-038 Exh. A).

#### 5.20.110 Illegal sale.

No person shall sell or transfer any fireworks to a customer or user thereof other than at the fixed place of business for which a license and permit have been issued. (Ord. 93-027; prior code § 4.40.110).

#### 5.20.120 Fire nuisance prohibited.

No person shall allow any rubbish to accumulate in any premises where any fireworks are stored or kept for sale or transfer, nor permit any other act at the licensed premises which constitutes a fire nuisance. (Ord. 93-027; prior code § 4.40.120).

#### 5.20.130 Violation – Penalties.

Violations of this chapter shall be defined as in county code Section 15.16.070, and shall be subject to the same penalties as stipulated therein. (Ord. 93-027; prior code § 4.40.130).



The Whatcom County Code is current through Ordinance 2023-056, passed September 26, 2023, and Resolution 2023-025, passed September 26, 2023.

Disclaimer: The Clerk of the Council's Office has the official version of the Whatcom County Code. Users should contact the Clerk of the Council's Office for ordinances passed subsequent to the ordinance cited above.

County Website: <https://www.whatcomcounty.us/>

County Telephone: (360) 676-6700

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