

CHAPTER 8.09. - FIREWORKS

8.09.010. - Authority.

This chapter is established pursuant to the provisions of RCW chapter 70.77, state fireworks law.

(Code 1988, § 8.09.010; Ord. No. 722, § 2, 2006)

8.09.020. - Definitions.

When used in this chapter, the following words and phrases have the meaning ascribed to them in this section, unless the context indicates a different meaning:

Local fire official means the Fire District No. 12 fire marshal, who is designated to act as a local fire official under this chapter.

Permit means the official authorization granted for the purpose of establishing and maintaining a place within the city where fireworks are manufactured, constructed, produced, packaged, stored, sold, or exchanged and the official authorization granted for a public display of fireworks.

(Code 1988, § 8.09.020; Ord. No. 722, § 2, 2006)

State Law reference— Similar provisions, RCW 70.77.177, 70.77.180.

8.09.030. - Dates and times fireworks may be sold and purchased.

Fireworks may be sold and purchased from:

- A. Noon to 11:00 p.m. on June 28;
- B. 9:00 a.m. to 11:00 p.m. on June 29 through July 4;
- C. 9:00 a.m. to 9:00 p.m. on July 5; and
- D. Noon to 11:00 p.m. on December 27 through December 31.

(Code 1988, § 8.09.030; Ord. No. 722, § 2, 2006)

8.09.040. - Dates and times fireworks may be used and discharged.

Fireworks may be used and discharged from:

- A. Noon to 11:00 p.m. on June 28;

- B. 9:00 a.m. to 11:00 p.m. on June 29 through July 3;
- C. 9:00 a.m. to midnight on July 4;
- D. 9:00 a.m. to 11:00 p.m. on July 5; and
- E. 6:00 p.m. on December 31 to 1:00 a.m. on January 1.

(Code 1988, § 8.09.040; Ord. No. 722, § 2, 2006)

8.09.050. - Permit; liability insurance required.

No retail fireworks permit may be issued to any applicant unless the retail fireworks stand is covered by a liability insurance policy with coverage of not less than \$50,000.00 and \$500,000.00 for bodily injury liability for each person and occurrence, respectively, and not less than \$50,000.00 for property damage liability for each occurrence, unless such insurance is not readily available from at least three approved insurance companies. If insurance in this amount is not offered, each fireworks permit shall be covered by a liability insurance policy in the maximum amount offered by at least three different approved insurance companies.

(Code 1988, § 8.09.050; Ord. No. 722, § 2, 2006)

8.09.060. - Sale of certain fireworks prohibited.

No fireworks may be sold or offered for sale to the public as consumer fireworks which are classified as sky rockets, or missile-type rockets, firecrackers, salutes or chasers as defined by the United States Department of Transportation and the Federal Consumer Products Safety Commission except as provided in RCW 70.77.311.

(Code 1988, § 8.09.060; Ord. No. 722, § 2, 2006)

8.09.070. - Local permits, fees, and periods of validity.

Permits for retail fireworks stands operated in the city are valid from January 1 through January 31 of the following year. If a retail license is purchased at any time of the year after January 31, it shall be valid until January 31 of the following year. To conduct public fireworks displays, the provisions of chapter 70.77 RCW apply. Permits are required from the following agencies to operate a retail fireworks stand or conduct a public display within the city:

TABLE 8.09.070
AGENCY PERMIT FEES

Permit Agency	Stand Fee or Public Display Fee
State patrol	As established
Fire District No. 12	As established
The city	Adopted business license fee

(Code 1988, § 8.09.070; Ord. No. 722 § 2, 2006)

8.09.080. - Fireworks not allowed.

Fireworks are not allowed to be used on any city property unless they are in conjunction with a permitted public display.

(Code 1988, § 8.09.080; Ord. No. 722, § 2, 2006)

8.09.090. - Unlawful discharge or use of fireworks; penalty.

Violations of this chapter shall be punishable as a class 1 civil infraction pursuant to enforcement and penalty provisions of TMC 18.30.130, enforcement, and may also be considered as criminal under the provisions of RCW title 9.

(Code 1988, § 8.09.090; Ord. No. 722, § 2, 2006)

8.09.100. - Denial, suspension, or revocation.

- A. The city, local fire official or their designee may deny, suspend, or revoke a permit under this chapter on any of the following grounds:
1. Failure to meet or maintain state requirements for state license;
 2. Failure to pay required fees and taxes;
 3. Failure to provide required valid information, documents and the like;
 4. False documentation in the application or attached documents; or
 5. Failure to meet any other requirements in this chapter for a license of the class

applied for.

- B. Otherwise, a permit may be issued as provided for in this chapter after a motion to that effect is adopted by the city council.
- C. In the event the city, local fire official, or their designee, denies, suspends, or revokes a permit or permit application, such adverse determination shall be in written form, addressed to the applicant/permittee at the application/permit address, and shall state the grounds upon which the adverse determination is based. Any applicant who has been denied a permit for reasons other than making application after an established application due date, or had a permit suspended or revoked is entitled to a hearing in accordance with the provisions of RCW chapter 34.05, the Administrative Procedure Act.