

ORIGINAL

ORDINANCE NO. 1689

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, DECLARING AN EMERGENCY, AMENDING SECTIONS 9.26.030 - .060 OF THE REDMOND MUNICIPAL CODE TO PROHIBIT THE SALE AND DISCHARGE OF FIREWORKS, REPEALING SECTIONS 9.26.045, .070, .080 AND .090, REVOKING ALL OUTSTANDING CITY PERMITS AUTHORIZING FIREWORKS SALES, AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, a severe shortage of water and continued dry weather have resulted in extremely dry vegetation and ground cover in the greater Puget Sound area, and

WHEREAS, The Fire Chief has advised the City Council that vegetation in the Redmond area is highly combustible at the current time and that the discharge of fireworks under these conditions would be extremely hazardous, and

WHEREAS, the Fire Chief has requested that the City Council ban the sale and discharge of fireworks as a safety measure in view of the dry weather and vegetation conditions, and

WHEREAS, the Council believes that the drought conditions currently in existence render it in the best interests of the public health, safety and welfare to pass an ordinance now banning sales and discharge of fireworks, and revoking all outstanding permits, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAIN AS FOLLOWS:

Section 1. Declaration of Fire Safety Emergency and Purpose of Regulations. The City Council has been advised, and hereby declares, that a fire safety emergency exists in the City of Redmond which endangers the public health, safety, and welfare.

This fire safety emergency arises from the unusually dry weather conditions that have prevailed in the Puget Sound area in the months of April and May and which are expected to continue through the summer months. These conditions, coupled with a severe water shortage, have resulted in an extreme fire hazard from highly combustible vegetation in Redmond. The sale, ignition, explosion and discharge of fireworks under these conditions would be very dangerous. The City Council hereby declares its intent, in enacting this ordinance, to preserve the public health, safety and welfare and to deal with this fire hazard by prohibiting the sale and discharge of fireworks in the City.

Section 2. Permit Required for Public Display of Fireworks. Section 9.26.030 of the Redmond Municipal Code is hereby amended to read as follows:

9.26.030 Permit Required for Public Display of Fireworks. It is unlawful for any person to hold, conduct or engage in any public display of fireworks within the City without first having obtained and being the holder of a valid permit under the provisions of this Chapter.

Section 3. Prohibition on Sale and Discharge of Fireworks. Section 9.26.040 of the Redmond Municipal Code is hereby amended to read as follows:

9.26.040 Sale and Discharge of Fireworks Prohibited. No person shall offer for retail sale or sell any fireworks within the City of Redmond. Except as authorized by a state license and city permit granted pursuant to RCW 70.77.260(2) (public display) or RCW 70.77.311(2) (use by individual or group for religious or other specified purpose on approved date and at approved location), no person shall ignite, explode or discharge any fireworks within the City of Redmond.

Section 4. Fees. Section 9.26.050 of the Redmond Municipal Code is hereby amended to read as follows:

9.26.050 Permit Fee. The annual fee for a "public display" permit for the public display of fireworks shall be set by Council resolution.

Section 5. Issuance - Nontransferable - Voiding. Section 9.26.060 of the Redmond Municipal Code is hereby amended to read as follows:

9.26.060 Issuance - Nontransferable - Voiding. Each public display permit issued pursuant to this Chapter shall be valid only for the specific authorized public display event only, shall be used only by the designated permittee, and shall be nontransferable. Any transfer or unauthorized use of a permit is a violation of this Chapter and shall void the permit in addition to all other sanctions provided in this code.

Section 6. Repealer. Sections 9.26.045, 9.26.070, 9.26.080, and 9.26.090 of the Redmond Municipal Code are hereby repealed.

Section 7. Revocation of Outstanding Permits. Due to the extreme fire safety emergency that currently exists, the City Council hereby revokes all outstanding permits issued by the City of Redmond for the sale of fireworks. The Fire Chief is directed to notify all permit holders of the revocation as soon as practicable.

Section 8. Severability. If any section sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This ordinance is declared to be a public emergency ordinance, necessary for the immediate protection of the public health, public safety, public property and public peace, and as such shall be effective immediately upon adoption.

This ordinance, having been passed by a unanimous vote of the City Council and having been declared necessary for the immediate preservation of the public peace, health and safety, is not subject to initiative or referendum.

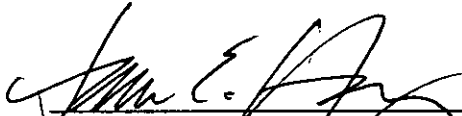
APPROVED


MAYOR, ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:


JAMES E. HANEY

FILED WITH THE CITY CLERK:	June 9, 1992
PASSED BY THE CITY COUNCIL:	June 9, 1992
PUBLISHED:	June 12, 1992
EFFECTIVE DATE:	June 9, 1992
ORDINANCE NO. <u>1689</u>	