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ORIGINAL

ORDINANCE NO. 1481

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
AMENDING SECTION 9.26.070 OF THE REDMOND MUNI-
CIPAL CODE TO CLARIFY THE TIME PERIOD ALLOWED FOR
FILING APPLICATIONS FOR FIREWORKS SELLER'S
PERMITS.

WHEREAS, the City Council has determined that, when the
final day for filing applications for fireworks seller's permits
falls on a Saturday, Sunday or legal holiday, it is appropriate
to extend the deadline to the next regular business day, NOW,
THEREFORE,

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

Section 1. Section 9.26.070 of the Redmond Municipal
Code is hereby amended to read as follows:

9.26.070 Application for seller's permit--
Conditions for issuance. Application for sell-
er's permits shall be made to the City Clerk
annually on or after April 1st of the year for
which the permit is issued, and the filing
period shall close on April 15th of such year,
unless extended by action of the City Council,
provided, if April 15 shall fall on a Saturday,
Sunday or a legal holiday, then the time for
filing applications for seller's permits shall
run until the end of the next day which is
neither a Saturday, a Sunday nor a legal
holiday. Legal holidays are defined in RCW
1.16.050. Applications shall be signed before
a notary public by the retail seller, if an
individual, or by a duly authorized officer, if
an association or corporation. It is unlawful
for a fireworks manufacturer, wholesaler or
supplier to make application for or to obtain a
retail sales permit on behalf of any
retailer. Seller's permits for the sale of
Washington State Fire Marshal approved
fireworks shall be issued only to applicants
meeting the following conditions:

(1) The retailer or person in charge and
responsible for the retail operation shall be
over twenty-one years of age, of good moral
character and of demonstrated responsibility.

(2) The applicant shall have a valid and
current license issued by the Washington State
Fire Marshal pursuant to Chapter 70.77 RCW
authorizing the holder thereof to engage in the
retail sale of fireworks.

(3) The applicant shall own or have the
right to possess a temporary fireworks stand
complying with the requirements of this chap-
ter, and the requirements for temporary struc-
tures as set forth in the Community Development
Guide.

(4) The applicant shall procure and main-
tain a policy or policies of public liability

and property damage insurance issued by a company or companies approved by the city in the following minimum amounts: five hundred thousand dollars for injuries to any one person in one accident or occurrence; one million dollars for injuries to two or more persons in any one accident or occurrence; five hundred thousand dollars for damage to property in any one accident or occurrence; one million dollars combined single limit for any one accident or occurrence. In addition, the City is to be an additional named insured, and the policy shall provide for the immediate notification of the City by the insurer of any cancellation of a policy.

(5) The permit holder's location or place of business shall be only in those areas or zones within the City wherein commercial activities are authorized under applicable zoning law; provided, that the sale of Washington State Fire Marshal approved fireworks shall not be deemed an enlargement of an existing nonconforming use.

(6) The applicant shall post with the City a performance bond or a cash deposit in an amount not less than two hundred dollars, conditioned upon the prompt removal of the temporary fireworks stand and the cleaning up of all debris from the site of the stand, which deposit shall be returned to the applicant only in the event that he removes the temporary stand and cleans up all debris to the satisfaction of the proper officials of the City. In the event of his failure to do so, the performance bond or cash deposit shall be forfeited. In no event shall the applicant be entitled to the return of the performance bond or cash deposit if he has failed to remove the stand and clean up all debris by the tenth of July following the sales period.

(7) Only one permit shall be issued to each applicant.

(8) No seller's permit shall be issued for a location which fails to meet the criteria set forth in section 9.26.090, including the minimum stand separation requirement. When necessary, in order to determine priority as to a proposed location, the earliest date and time of filing of an application for a seller's permit with the City Clerk shall be controlling.

Section 2. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

APPROVED:

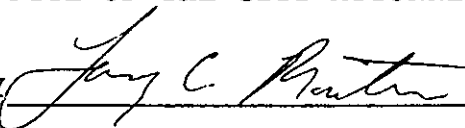

MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY



FILED WITH THE CITY CLERK: 4-13-89
PASSED BY THE CITY COUNCIL: 4-18-89
PUBLISHED: 4-23-89
EFFECTIVE DATE:
ORDINANCE NO. 1481