

ORDINANCE NO. 227

AN ORDINANCE REGULATING THE SALE AND THE OFFERING OR EXPOSING FOR SALE OF CERTAIN FIREWORKS, DEFINING SUCH FIREWORKS, AND REGULATING THE MANNER OF USING FIREWORKS, PROVIDING PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE, AND REPEALING ORDINANCE NO. 46, AS PASSED ON JULY 7, 1926.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF REDMOND, WASHINGTON:

SECTION 1. The term "fireworks" shall mean any combustible or explosive composition or any substance or combination of substances, or article exclusively prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrocketts, Roman candles, aerial bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any other tablets other than medicinal tablets, or other device containing any explosive substance hereinafter more specifically described.

SECTION 2. The term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing .25 grains or less of explosive compound are used, providing that they are so constructed that the hand cannot come in contact with the cap when in place for the explosion. The term "fireworks" shall not include firearms and fixed ammunition therefor.

SECTION 3. It shall be unlawful for any person, firm, copartnership or corporation, to offer for retail sale, expose for retail sale, sell at retail, or use or explode any fireworks within the Town of Redmond, except between the date of June 25th, and July 5th, inclusive, and only between the hours of 8:00 o'clock A. M., and 11:59 P. M., of each of said days: Provided, That no fireworks shall be sold to anyone under twenty one years of age,

Provided Further, That it shall never be lawful to use or explode any fireworks within the limits of the Town of Redmond *EXCEPT BY PERSONS AT THEIR RESIDENCES.*

SECTION 4. It shall be unlawful for any person, firm, co-partnership, or corporation to engage in the retail sale of fireworks without first having obtained a permit from the clerk of the Town of Redmond. The fee to be charged for the issue of any such retail sales permit shall be \$5.00, plus such handling fees as the Town Council shall from year to year establish, which fee shall cover but one sales outlet: Provided, however, that no permit to sell at retail shall be issued to anyone under twenty one years of age. That in the interest of public peace, safety, morality and good order, the clerk of the town shall not issue in any one year more than two retail permits. All fees collected under this ordinance by the Town Clerk shall be credited to the general fund of the Town of Redmond.

SECTION 5. The Town Clerk shall issue permits as directed in Section 4 hereof at the direction of the Town Council. The Town Council has a right and authority to reject any and all requests for such permits.

SECTION 6. Requests for permits annually hereafter shall be considered by the Town Council of the Town of Redmond at the first regular meeting in the month of June, and a decision by the Town Council announced no later than the second regular meeting of the month of June.

SECTION 7. All permit holders hereunder shall agree to save the Town of Redmond harmless from any liabilities as a result of the sale of fireworks as herein permitted. All permit holders shall deposit with the Town Clerk, prior to issuance of a permit, a policy of liability insurance showing the Town of Redmond as a named insured, conditioned for the payment of all damages which may be caused either to a person or persons, or to property by reason of the authorized display or arising from any act of any person, firm, copartnership or corporation, his agents, employees

or subcontractors, in amounts to be set by the Town Council from year to year.

SECTION 8. Any person, firm, co-partnership, or corporation convicted of violation of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$100.00, or imprisoned for a term not exceeding 30 days, or both such fine and imprisonment.

SECTION 9. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance be declared invalid or unconstitutional by a competent court for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. Ordinance No. 46, passed on July 7, 1926, is hereby repealed.

PASSED by the Town Council of the Town of Redmond and approved by the Mayor this 24th day of June, 1959.

M A Y O R

ATTEST:

FLORINE SHULTS,
Town Clerk.