

# ORIGINAL

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 770

AN ORDINANCE, relating to the sale and use of fireworks; adding a new section and amending section 9.12.070 of the Redmond Municipal Code.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 9.12.070 of the Redmond Municipal Code is hereby amended to read as follows:

9.12.070 Application for seller's permit--Conditions for issuance. Applications for seller'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. Seller's permits for the sale of safe and sane fireworks shall be issued only to applicants meeting the following conditions:

(1) The applicant and its officers, if a corporation or an entity other than a natural person, shall be over the age of twenty-one years of age, of good moral character and of demonstrated responsibility;

(2) The applicant shall have a valid and subsisting license issued by the state authorizing the holder thereof to engage in the retail fireworks business;

(3) The applicant shall own or have the right to possess a temporary fireworks stand complying with the standards hereinafter set forth for temporary fireworks stands;

(4) The applicant shall procure and maintain a policy or policies of public liability and property damage insurance in a company or companies approved by the city in the following minimum amounts: one hundred thousand dollars or more for injuries to any one person in one accident or occurrence; three hundred thousand dollars or more for injuries to two or more persons in any one accident or occurrence; fifty thousand dollars for damage to property in any one accident or occurrence;

(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 the applicable zoning laws; provided, that the sale of safe and sane fireworks shall not be deemed an enlargement of an existing nonconforming use;

(6) The applicant shall post with the city a performance bond or cash deposit in an amount not less than one 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 the debris to the satisfaction of the proper officials of the city. In

the event of his failure so to do, 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.

Section 2. New Section. There is hereby added to Chapter 9.12 of the Redmond Municipal Code a new section to read as follows:

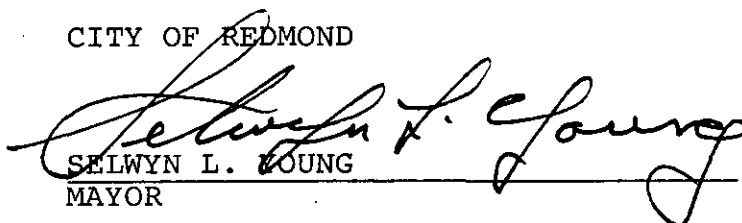
9.12.115 Tax on retail sales. There is hereby levied and imposed upon the retail sale of safe and sane fireworks a tax equal to twenty-five percent of the gross revenues therefrom, provided that upon satisfactory proof showing that at least fifty percent of the proceeds from such retail sale are used within the city for community or charitable purposes, such tax will be waived.

The administration and collection of the tax shall be by the city clerk who shall have the authority to adopt reasonable rules and regulations and to prescribe and issue appropriate forms for the determination, declaration and collection of the tax to be paid. Each person or entity subject to the tax shall provide reasonable access to financial records upon request by the city clerk to determine compliance with this section.


Section 3. Effective date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a special meeting thereof, and APPROVED by the Mayor this 14th day of June, 1977.

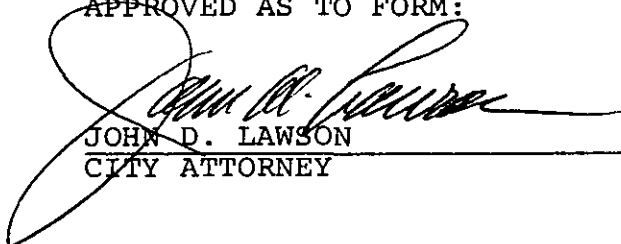
CITY OF REDMOND

  
SELWYN L. YOUNG  
MAYOR

ATTEST:

  
PAUL F. KUSAKABE  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

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