

ORIGINAL

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 816

AN ORDINANCE, relating to the sale and use of fireworks; and amending Sections 9.12.060 and 9.12.070 and repealing Section 9.12.115 of the Redmond Municipal Code.

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

Section 1. Amendment. Section 9.12.060 of the Redmond Municipal Code is hereby amended to read as follows:

9.12.060 Issuance--Nontransferable--Voiding.
Each seller's permit issued under this chapter shall be for only one retail sales outlet and, in the interests of the public peace, safety, morality and good order, seller's permits shall be limited to four permits. Each seller's permit issued pursuant hereto shall be valid only for the current year, shall be used only by the designated permittee and shall be nontransferable. Each public display permit issued pursuant hereto shall be valid for the specific authorized public display event only, shall be used only by the designated permittee and shall be nontransferable. Any transfer, purported transfer or unauthorized use of a permit is a violation of this chapter and shall void the permit granted.

Section 2. 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. Applications shall be made in person to the city clerk by the retailer itself or its duly authorized official and it shall be 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 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 itself shall have a valid and subsisting license issued by the state fire marshall pursuant to RCW 70.77.315 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 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

ence; 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 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;

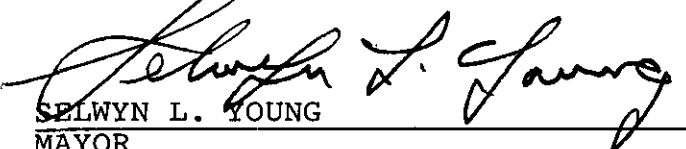
(7) Only one permit shall be issued to each applicant.

Section 3. Repeal. Section 9.12.115 of the Redmond Municipal Code is hereby repealed.

Section 4. Effective date--Emergency. This ordinance is an emergency ordinance necessary for the protection of the public health, safety, peace and welfare and shall take effect immediately upon its adoption and approval.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 21ST day of March, 1978.

CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


PAUL F. KUSAKABE
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

Published in the Sammamish Valley News on 3-29-78.