AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the discharge of fireworks within the City.

WHEREAS, pursuant to KCC 13.09.010, the City of Kent adopted, by reference, RCW 70.77, the State Fireworks Law; and

WHEREAS, pursuant to RCW 70.77.395, fireworks may be discharged within the City from 12 o'clock noon on June 28 to 12 o'clock noon on July 6 of each year, and that no fireworks may be discharged between the hours of 11 o'clock p.m. and 9 o'clock a.m.; and

WHEREAS, pursuant to RCW 70.77.250(4), municipalities are granted concurrent jurisdiction over fireworks regulations and, in certain instances, may enact more restrictive regulations; and

WHEREAS, the current drought conditions in the Pacific Northwest has created the probability of a serious fire threat, resulting in the worst fire conditions in recent history; and

WHEREAS, pursuant to RCW 35A.12.130, the City Council, with the declaration of a public emergency, may pass an emergency ordinance for the protection of public health, public safety, public property, or the public peace, which ordinance may be effective immediately; and
WHEREAS, the City Council has determined that an emergency condition does exist due to the current drought conditions within the City of Kent; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Declaration of Emergency. The City Council does hereby declare that there exists an emergency condition affecting the public health, public safety, public property, or public peace as a result of the current drought conditions existing within the City of Kent, as well as the Pacific Northwest region, which has been compounded by the limiting use of water for irrigation of lawns and shrubbery in the region, and that such emergency condition necessitates the need to restrict the discharge of fireworks through the passage of an emergency ordinance.

Section 2. Discharge of Fireworks. The discharge of fireworks pursuant to the rules, regulations, and provisions adopted by Kent City Code 13.09.010 is restricted as follows:

No common fireworks, as defined in RCW 70.77.126, shall be discharged within the City of Kent except from 9 o'clock a.m. to 12 o'clock midnight, July 4, 1992.

Section 3. Penalty. Any violation of the provisions of this ordinance shall constitute a misdemeanor punishable by a fine of one hundred dollars ($100.00) or by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment. Each violation shall constitute a separate offense.
Section 4. Inconsistent Provisions. During the effective period of this ordinance, as set forth below, the provisions of this ordinance shall prevail over KCC Chapter 13.09 to the extent KCC Chapter 13.09 is inconsistent.

Section 5. Effective Date. Pursuant to RCW 35A.12.130, this ordinance shall be effective upon adoption. The provisions of this ordinance are temporary and shall remain in effect only until July 31, 1992.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 2nd day of June, 1992

VETOED

APPROVED the 11th day of June, 1992

VETOED

PUBLISHED the 17th day of June, 1992

I hereby certify that this is a true and correct copy of Ordinance No. 3045, passed by the City Council of the
City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

(SEAL)