Ordinance No. 3229

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

CONO=122 – Police/Fire Departments
Passed - 6/6/1995
Sale and Discharge of Fireworks

Amended by Ord 3491
Readopted, re-enacted, ratified and confirming rates & fees by Ord 3534
Amended by Ords 3609,3610 (Sec. 13 05.010& 020)
Amended by Ord 3755 (Sec 13 05)
AN ORDINANCE of the City Council of the City of Kent, Washington, amending Kent City Code Chapter 13.05 relating to the sale and discharge of fireworks.

WHEREAS, pursuant to Substitute Senate Bill 5997, RCW 70.77.395 has been amended to provide for an additional fireworks season, and if the City of Kent desires to prohibit this additional season, it is required to enact an ordinance prohibiting such sale or discharge of common fireworks within sixty days of the effective date of the act which was April 17, 1995; and

WHEREAS, the City Council finds that the welfare and safety of the citizens of the City of Kent could be jeopardized by adding an additional season to sell and discharge common fireworks beyond the season currently authorized in Chapter 13.05 of the Kent City Code; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:
SECTION 1.  Kent City Code Chapter 13.05 is hereby amended as follows:

CHAPTER 13.05. FIREWORKS

Sec. 13.05.005. Sale and discharge of fireworks.

A. Except as may be provided in RCW 70.77.311, no common fireworks shall be sold within the municipal limits of the city except from 12:00 noon on the twenty-eighth day of June to 11:00 p.m. on the fourth day of July between the hours of 9:00 a.m. and 11:00 p.m. No common fireworks may be discharged at any time except between the hours of 9:00 a.m. and 11:00 p.m. on the fourth day of July.

B. The sale or discharge of common fireworks shall not be permitted on December 31 of any given year and on January 1 of the subsequent year. The only legal period for the sale and discharge of common fireworks are the dates and times permitted in subsection (A).

Sec. 13.05.010. Local fireworks permits.

Application for all local fireworks permits required by the state fireworks law, RCW ch. 70.77 shall be made to the fire marshal. The fee for such permit shall be forty-two dollars ($42.00), which amount covers the city's administrative costs for permit processing, issuance, and inspection, all as provided for in RCW 70.77.555. Pursuant to RCW 70.77.555, this permit fee and
the costs for all needed permits and local licenses from application to and through processing, issuance and inspection shall not exceed one hundred dollars $(100.00)$ for any one year.

Sec. 13.05.015. Reserved.

Sec. 13.05.020. Penalty.

A person failing to obtain a local fireworks permit as required by section 13.05.010 herein shall be guilty of a misdemeanor, and shall be punished by imprisonment not to exceed ninety (90) days and a fine not to exceed one thousand dollars ($1,000.00). A person is guilty of a separate offense for each day during which he commits, continues or permits a violation of section 13.05.020.

SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.
SECTION 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 6th day of June, 1995.
APPROVED 7th day of June, 1995.
PUBLISHED 9th day of June, 1995.
I hereby certify that this is a true copy of Ordinance No. 3229, 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 (SEAL)
BRENDA JACOBER, CITY CLERK