

CODE

**CITY OF REDMOND
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING REDMOND MUNICIPAL CODE 15.06 FIRE CODE, 9.26 FIREWORKS AND 9.31 PARK RULES AS THEY RELATE TO MANUFACTURING, STORAGE, SALES, AND USE OF FIREWORKS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is dedicated to clean air, water, land and environment; and

WHEREAS, due to climate change the risk of wildfire is ever increasing; and

WHEREAS, fireworks contribute to noise pollution, negatively affecting community members, pets, and wildlife; and

WHEREAS, debris and remnants from fireworks present a litter problem in public spaces, parks and waterways, requiring cleanup efforts; and

WHEREAS, fireworks are known to cause and contribute to perchlorate contamination of surface and groundwater resources, threatening aquatic life and the quality of the City's drinking water aquifer; and

WHEREAS, repairs due to fireworks on synthetic/turf fields in our parks are expensive and time consuming, and

WHEREAS, the Revised Code of Washington allows under RCW 70.77.250(4) for a City to adopt ordinances that are more restrictive,

WHEREAS, the effective date of the fireworks ordinance will be no sooner than one year after its adoption,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Adoption of RMC 15.06.012(F).

RMC 15.06.012 (F) is adopted to add a new sub-section as follows:

(F) The manufacture, construction, production, packaging, storage, sale, exchange, and use of display fireworks, consumer fireworks, articles pyrotechnic, special effects, agricultural and wildlife fireworks as defined in RCW 70.77 shall be prohibited throughout the City.

Section 3. Amendment of RMC 15.06.013 (A)(60).

Amend the Redmond Fire Code 15.06.013 (A)(60) that adopts Section 5608.1.1 Fireworks to read as follows:

5608.1.1 Fireworks

Refer to Redmond Municipal Code **(RMC) Section 15.06.012(F) Restrictions and RMC** Chapter 9.26 Fireworks and to RCW 70.77.120 et seq. (State Fireworks Law).

Section 4. Amendment of RMC Chapter 9.26 Fireworks.

Amend RMC Chapter 9.26.020 to read as follows:

9.26.020 Possession **or manufacture** of fireworks unlawful.

It is unlawful for any person to **manufacture, construct, produce, package, or store** [~~SELL, POSSESS, USE OR EXPLODE~~] any dangerous fireworks within the City. [~~PROVIDED, THAT THIS PROHIBITION SHALL NOT APPLY TO DULY AUTHORIZED PUBLIC DISPLAYS.~~] Any item of fireworks, **including those that do** [~~WHICH DOES~~] not meet the State of Washington Fire Marshal's approval in conformity with RCW Chapter 70.77, as amended shall be deemed dangerous and **are** [~~IS~~] prohibited by this chapter.

Section 5. Amendment of RMC Chapter 9.26 Fireworks.

Amend RMC Chapter 9.26.040 to read as follows:

9.26.040 Sale and discharge of fireworks prohibited.

No person shall offer for retail sale, exchange, or sell any fireworks within the City. ~~[EXCEPT AS AUTHORIZED BY A STATE LICENSE AND CITY PERMIT GRANTED PURSUANT TO RCE 70.77.260(2) (PUBLIC DISPLAY) OR RCE 70.77.311(2) (USE BY INDIVIDUAL OR GROUP FOR RELIGIOUS OR OTHER SPECIFIED PURPOSE ON APPROVED DATE AND AT APPROVED LOCATION,]~~ No person shall use, ignite, explode or discharge any fireworks within the City.

Section 6. Amendment of RMC Chapter 9.26 Fireworks.

Amend RMC Chapter 9.26.130 to read as follows:

9.26.130 Enforcement.

The Fire Chief, or designee, is authorized to enforce all provisions of this chapter. ~~[AND, IN ADDITION TO CRIMINAL SANCTIONS OR CIVIL REMEDIES, HE MAY REVOKE ANY PERMIT ISSUED PURSUANT TO THIS CHAPTER UPON ANY FAILURE OR REFUSAL OF THE PERMITTEE TO COMPLY WITH THE ORDERS AND DIRECTIVES OF THE FIRE CHIEF OR DESIGNEE, AND/OR TO COMPLY WITH ANY PROVISIONS OF THIS CHAPTER OR THE REQUIREMENTS OF THE REDMOND ZONING CODE RELATING TO TEMPORARY STRUCTURES.]~~

Section 7. Amendment of RMC Chapter 9.31 Parks Rules.

Amend RMC Chapter 9.31.400 Fireworks to read as follows:

9.31.400 Fireworks

A. No person shall possess, discharge, set off, or cause to be discharged, in or into any City of Redmond park area, any firecracker, torpedo, rocket, firework, explosive or substance harmful to the life or safety of person or property. [~~UNLESS SO AUTHORIZED BY THE DEPARTMENT.~~]

Section 8. Repeal of Sections. Redmond Municipal Code Sections 9.26.030, 9.26.050, 9.26.060, 9.26.065 and 9.26.095 are hereby repealed in their entirety.

Section 9. 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 10. Effective date. This ordinance shall become effective one year after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of _____, 2024.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

DANIEL KENNY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.