

Adopted: 08/17/16
Effective: 08/28/16

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 16-050

RELATING TO FIREWORKS; AMENDING CHAPTER 30.53A SCC

BE IT ORDAINED:

Section 1. Snohomish County Code Section 30.53A.400, last amended by Amended Ordinance 14-059 on August 27, 2014, is amended to read:

30.53A.400 Violation penalties.

Persons who violate a provision of the fire code or fail to comply with any of the requirements thereof or who erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire marshal, or of a permit or certificate used under provisions of the fire code, shall be subject to penalties as prescribed by law and chapter 30.85 SCC; PROVIDED, HOWEVER, any violation of SCC 30.53A.726 is a class 1 civil infraction punishable as provided by law and by chapter 10.70 SCC.

Section 2. Snohomish County Code Section 30.53A.722, adopted by Ordinance 07-087 on September 5, 2007, is amended to read:

30.53A.722 ((Common fireworks—retail)) Retail sale or discharge of consumer fireworks unlawful – exceptions.

(1) Except as otherwise provided by law, no common fireworks shall be sold at retail except from 12:00 noon on June 28 to 12:00 noon on July 5th each year, provided, however, that no consumer fireworks may be sold at retail between the hours of 11:00 p.m. and 9:00 a.m.

(2) Except as otherwise provided by law, ((No)) no ((common)) consumer fireworks shall be discharged except:

(a) ((from)) From 9:00 a.m. to 11:59 p.m. on the 4th day of July of each year.

(b) In areas not designated as a “no fireworks” area created under SCC 30.53A.728.

(c) Fireworks under the classification of novelty or sparklers. ((No common fireworks may be sold at retail or discharged between the hours of 11:00 p.m. and 9:00 a.m., except as allowed otherwise in this section.))

46 Section 3. A new section is added to Chapter 30.53A of the Snohomish County
47 Code to read:

48 **30.53A.728 Creation of additional “no Firework” areas through petition**
49 **method.**

50 (1) The council will consider establishment of a "no firework" area following the filing of
51 a petition by residents of the proposed additional area that meets the following terms
52 and conditions:

53 (a) The proposed area shall contain a minimum of 50 single family dwellings or, in
54 the alternative, it shall contain a minimum area of one square mile.

55 (b) The proposed area shall have readily identifiable boundaries. If reasonably
56 possible, the boundaries shall constitute a physical barrier, i.e., a river, freeway,
57 roadway, etc.

58 (c) The petition for the proposed area shall be signed by a minimum of fifty-one
59 percent of the area’s registered voters.

60 (d) The completed petition supporting the proposed area shall be filed with the clerk
61 of the county council.

62 (e) A request that meets SCC 30.53A.728(1)(a), (b), and (d) by a Snohomish
63 County fire district or fire authority for a “no fireworks area” designation within a fire
64 district may substitute for the signatures referenced in (c) above.

65 (2) This section shall not limit the legislative authority of the county council.

66 Section 4. A new section is added to Chapter 30.53A of the Snohomish County
67 Code to read:

68 **30.53A.730 Petition - Form**

69 Petitions for "no firework" areas shall be substantially in the following form:

70 WARNING

71 Every person who signs this petition with any other than his
72 or her true name, or who knowingly signs more than one of
73 these petitions, or who signs this petition when he or she is
74 not a legally registered voter, or who makes herein any false
75 statement, may be punished by fine or imprisonment or both.

76 PETITION TO CREATE A

77 "NO FIREWORK" AREA

78 To the County Council, Snohomish County:

79 We, the undersigned citizens of the State of Washington and
80 legally registered voters of the respective precincts set
81 opposite our names, respectfully request that the area
82 known as _____, be established as a "no
83 firework" area.

84 The proposed area's boundaries are:

85 Each of us for himself or herself says:

86 I have personally signed this petition, I am a legal registered
87 voter of the state of Washington, in the precinct, written after
88 my name, and my residence address is correctly stated.

89 Petitioner's Precinct Residence Address City or Zip

90 signature name street and number PO Box No.

91 1. _____

92 2. _____

93 3. _____ etc.

94 Failure to comply with any of the above format will not invalidate the petition, but rather
95 shall be a matter for consideration by the council as to whether the standards of SCC
96 30.53A.700 have been met.

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98 Section 5. A new section is added to Chapter 30.53A of the Snohomish County
99 Code to read:

100 **30.53A.732 Public Hearing.**

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102
103 Upon receipt of a "no firework" area application and petition, as set forth in SCC
104 30.53A.728 and 30.53A.730, the county council shall set the matter for consideration at
105 a public hearing in accordance with the general provisions of chapter 2.48 SCC.

106 Section 6. A new section is added to Chapter 30.53A of the Snohomish County
107 Code to read:

108 **30.53A.734 Abrogation of "no firework" areas.**

109 (1) The council will consider abrogation of a "no firework" area at any time after one
110 year from establishment of the "no firework" area following the filing of a petition that
111 meets the following terms and conditions:

112 (a) If the petition proposes abrogation of the entire "no firework" area, the petition
113 proposing abrogation shall be signed by a minimum of fifty-one percent of registered
114 voters who reside within the "no firework" area.

115 (b) If the petition proposes abrogation of less than the entire "no firework" area, the
116 remaining "no firework" area shall comply with SCC 30.53A.726 and the petition
117 proposing abrogation shall be signed by a minimum of fifty-one percent of registered
118 voters who reside within the "no firework" area excluding registered voters who
119 reside more than 2000 feet from the area proposed for abrogation.

120 (c) The completed petition proposing abrogation shall be filed with the clerk of the
121 council.

122 (2) This section shall not limit the legislative authority of the county council.

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124 Section 7. A new section is added to Chapter 30.53A of the Snohomish County
125 Code to read:

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127 **30.53A.736 Severability.**

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129 If any provision of this chapter is held invalid, the remainder of the chapter shall
130 not be affected.

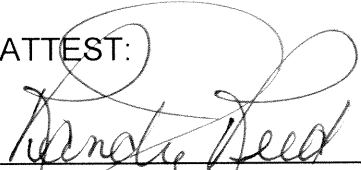
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133 PASSED this 17th day of August, 2016.

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136 SNOHOMISH COUNTY COUNCIL
137 Snohomish County, Washington

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Council Chair


ATTEST:



Asst. Clerk of the Council

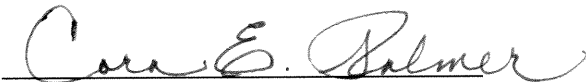
- APPROVED
 EMERGENCY
 VETOED

ATTEST:



County Executive

8/18/16
Date



APPROVED AS TO FORM ONLY:

Deputy Prosecuting Attorney

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AMENDING CHAPTER 30.53A SCC - 4

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