

ORDINANCE NO. 2623

An Ordinance amending Camas Municipal Code Section 15.04.030 (D)(6) and adding a new Chapter 8.58 to the Camas Municipal Code entitled "Fireworks" and establishing an effective date.

WHEREAS, Chapter 70.77 RCW, the State Fireworks Law, governs the purchase, sale and discharge of fireworks; and

WHEREAS, RCW 70.77.250(4) permits cities to adopt ordinances with stricter regulations of fireworks than state law, provided such ordinances may not have an effective date sooner than one year after their adoption; and

WHEREAS, the City Council desires to adopt regulations regarding the sale and discharge of fireworks that are more restrictive than state law;

NOW, WHEREFORE, the Council of the City of Camas do ordain as follows:

Section I

Section 15.04.030(D)(6) is hereby amended to provide as follows:

6. Section 3301.1 of the International Fire Code is amended to provide as follows:

General. Storage, use, handling, permitting, sale, manufacture, display, and transportation of fireworks shall be in accordance with this Code, RCW 70.77, and Camas Municipal Code Chapter 8.58. In the event of any conflict between the provisions of this Code, RCW 70.77 and Camas Municipal Code Chapter 8.58 relating to the sale and discharge of fireworks, the provisions of Camas Municipal Code Chapter 8.58 shall govern.

Section II

A new Chapter 8.58 is hereby added to the Camas Municipal Code to provide as follows:

Chapter 8.58.
Fireworks.

Sections:

8.58.010	RCW adopted by reference.
8.58 .020	Restriction on Times for Sale and Discharge of Fireworks.
8.58.030	Violation-Penalty.

8.58.010 RCW adopted. Except as otherwise provided herein, Chapter 70.77 RCW, the State Fireworks Law, is hereby adopted by reference, including all future amendments or additions thereto.

8.58 .020 Restriction on times for sale and discharge of fireworks.

The sale, purchase and discharge of consumer fireworks shall not be permitted at any time except during the following times and dates:

A. Consumer fireworks may be purchased and sold within the City of Camas only between the hours of 9:00 a.m. and 11:00 p.m. on July 1st, 2nd, and 3rd of any year; between the hours of 9:00 a.m. and 12:00 midnight on July 4th of any year; between the hours of 9:00 a.m. and 6:00 p.m. on July 5th of any year; and between the hours of 12:00 noon and 11:00 p.m. on December 27th through December 31st of any year.

B. Consumer fireworks may be discharged within the City of Camas only between the hours of 9:00 a.m. and 11:00 p.m. on July 1st, 2nd and 3rd of any year; between the hours of 9:00 a.m. and 12:00 midnight on July 4th of any year; and between the hours of 6:00 p.m. December 31st and 1:00 a.m. on January 1st of the subsequent year.

8.58 030 Violation – Penalty.

A. Any person violating any provision of this chapter is guilty of a misdemeanor, and upon conviction shall be punished by a fine in an amount not exceeding \$500, or by imprisonment in jail for a term not exceeding 30 days, or by both. In the case of a conviction for a violation of this chapter, the city's fire marshal or designee may order the fireworks stand closed and may deny approval of a request by the person for a fireworks permit for a period of one year.

B. A person is guilty of a separate offense for each separate and distinct violation of any provisions of this chapter, and a person is guilty of a separate offense for each day during which he/she commits or allows to continue any violation of the provisions of this chapter.

C. Any fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of the provisions of this chapter or of Chapter 70.77 RCW shall be subject to seizure by any police officer.

Section III

This Ordinance shall be in full force and effect one year from and after its passage and publication as provided by law.

PASSED BY the Council and APPROVED by the Mayor this 2nd day of

May, 2011.

SIGNED: [Signature]
Mayor

ATTEST: [Signature]
Clerk

APPROVED as to form:

[Signature]
City Attorney