

ORDINANCE NO. 517

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, AMENDING CHAPTER 9.20 OF THE UNIVERSITY PLACE
MUNICIPAL CODE RELATING TO SALE AND DISCHARGE OF FIREWORKS**

WHEREAS, Chapter 70.77 RCW authorized the City to regulate the sale and discharge of fireworks within the City; and

WHEREAS, amendments to Chapter 70.77 RCW authorize the sale and discharge of consumer fireworks from December 27th through December 31st of each year, but all cities to adopt more restrictive regulations; and

WHEREAS the City Council deems it to be in the best interest of public health, safety and welfare to limit the sale and discharge dates for fireworks;

NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY
ORDAIN AS FOLLOWS:**

Section 1. Amending Chapter 9.20 of UPMC. UPMC 9.20.010 is hereby amended to read as follows:

Sale, possession, and use of fireworks.

- A. *It is hereby declared to be unlawful within the City for any person to sell, at retail or wholesale, or to offer for sale, at retail or wholesale, fireworks to any person under the age of sixteen (16) years of age.*
- B. *It shall be the responsibility of any seller of fireworks to obtain and/or require proof of age of any customer at the time of purchase, which proof requirement may be satisfied by inspecting the customer's valid Washington State photo driver's license or valid Washington State photo identification card or the equivalent thereof issued by another state or jurisdiction.*
- C. *It is unlawful for any person under the age of sixteen (16) years of age to possess or to discharge any fireworks within the City without direct supervision of an adult.*
- D. *It is unlawful to sell, purchase, discharge, or use common fireworks in the City except as provided below:*
 1. *It is unlawful to sell or purchase consumer fireworks in the City except as follows:*
 - a. *between 12:00 noon and 11:00 p.m. on June 28th*
 - b. *between 9:00 a.m. and 11:00 p.m. on June 29th through July 3rd; and*
 - c. *between 9:00 a.m. and 9:00 p.m. on July 4th.*

It is unlawful to sell or purchase consumer fireworks in the City on December 27th through December 31st.

2. *It is unlawful to discharge or use consumer fireworks in the City except as follows:*
 - a. ~~*between 9:00 a.m. and 11:00 p.m. on June 29th through July 3rd;*~~
 - b. *between 9:00 a.m. and 12:00 midnight on July 4th; and*

c. *between 6:00 p.m. on December 31st and 1:00 a.m. on January 1st of the subsequent year.*

3. *Without regard for 1 and 2 above, it is lawful to purchase and use common fireworks as provided for in RCW 70.77.311(2) provided that a permit is obtained in advance from the City's Fire Marshal.*

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

Section 3. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective one (1) year after its publication.

PASSED BY THE CITY COUNCIL ON FEBRUARY 19, 2008.

Linda Bird

Linda Bird, Mayor

ATTEST:

Emelita Genetia
Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Jahean Parker
Jahean Parker, City Attorney

Published: 02/21/08

Effective Date: 02/21/09