

ORDINANCE NO. 2014-_____

AN ORDINANCE amending the Clark County Code related to the discharge of fireworks.

WHEREAS, historically the same rules regulated the urban and rural areas of the county; and

WHEREAS, members of the public have requested a reduction in the number of days during which fireworks may be discharged; and

WHEREAS, the Board is attempting to balance the competing interests of those who wish to celebrate the holidays with those who have raised concerns of noise, safety and general nuisance issues; and

WHEREAS, the board is considering the matter at a duly-advertised public hearing and concludes that adoption will further the public health, safety and welfare; now, therefore

BE IT ORDERED, RESOLVED AND DECREED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Amendatory. Section 4 of Ordinance 1977-06-02 as most recently amended by Section 1 of Ordinance 2009-04-10, and codified as CCC 5.28.040, are each amended to read:

5.28.040 Dates when sale permitted.

No common fireworks shall be sold or offered for sale at retail, except from 12:00 noon on the 28th day of June to 11:00 p.m. on the 4th day of July of any year. Further,

the sale ((and discharge)) of common fireworks are expressly prohibited at any time surrounding the New Year, including December 31st.

Section 2. Amendatory. Section 5 of Ordinance 1977-06-02, as most recently amended by Section 2 of Ordinance 2009-04-10, and codified as CCC 5.28.050, are each amended to read:

5.28.050 Dates when use permitted.

No person shall use or explode any fireworks within the unincorporated areas of the county of Clark except as shown ((provided)) in Tables 5.28.050(1) and 5.28.050(2) below; provided, that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the state of Washington.

Table 5.28.050(1) Allowed dates and times for use of fireworks (south of 179th Street)		
<u>Date / Time</u>	<u>2015</u>	<u>2016 and Beyond</u>
June 28, Noon to 11:00 p.m.	Allowed	Not allowed
June 29, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
June 30, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 1, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 2, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 3, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 4, 9:00 a.m. to Midnight	Allowed	Allowed
December 31, 6:00 p.m. until 1:00 a.m.	Not Allowed	Allowed

Table 5.28.050(2) Allowed dates and times for use of fireworks (north of 179th Street)

<u>Date / Time</u>	<u>2015</u>	<u>2016 and Beyond</u>
June 28, Noon to 11:00 p.m.	Allowed	Allowed
June 29, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
June 30, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 1, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 2, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 3, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 4, 9:00 a.m. to Midnight	Allowed	Allowed
December 31, 6:00 p.m. until 1:00 a.m.	Not Allowed	Allowed

((Table 5.28.050

28	June	12:00 noon—11:00 p.m.
29	June	9:00 a.m.—11:00 p.m.
30	June	9:00 a.m.—11:00 p.m.
31	June	9:00 a.m.—11:00 p.m.
1	July	9:00 a.m.—11:00 p.m.
2	July	9:00 a.m.—11:00 p.m.
3	July	9:00 a.m.—11:00 p.m.
4	July	9:00 a.m.—12:00 midnight

))

Section 3. Amendatory. Section 10 of Ordinance 1977-06-02 as most recently amended by Section 3 of Ordinance 2009-04-10 and codified as CCC 5.28.100, are each amended to read:

5.28.100 Temporary stands.

Temporary stands, structures or facilities used for the retail sale or temporary storage of common fireworks shall be in accordance with the applicable portions of Chapter 70.77 RCW and Chapter 212-17 WAC. In addition to the above requirements, each retail fireworks stand shall provide signage indicating the dates and times fireworks may be legally discharged in Clark County. Such signage must be placed where it is easily readable by the public where the sales transactions occur. The sign shall contain the following information: Fireworks may be discharged in Clark County only during the following dates and times – June 28th from 12:00 noon to 11:00 p.m.; June 29th through July 3rd from 9:00 a.m. to 11:00 p.m.; July 4th from 9:00 a.m. to midnight.

For the sales year 2016 and after, the signs shall contain the following information:

NORTH OF 179TH STREET

- June 28th, from 12:00 noon to 11:00 p.m.; June 29th through July 3rd from 9:00 a.m. to 11:00 p.m.; July 4th from 9:00 a.m. to midnight
- December 31, from 6:00 p.m. until 1:00 a.m. on New Year's Day

SOUTH OF 179TH STREET

- July 4th from 9:00 a.m. to 12:00 midnight

- December 31st from 6:00 p.m. until 1:00 a.m. on News Years

Letters for the sign must be at least one (1) inch tall on a contrasting background.

ADOPTED this _____ day of September, 2014.

Attest:

BOARD OF COMMISSIONERS
FOR CLARK COUNTY

Clerk to the Board

By: _____
Tom Mielke, Chair

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

By: _____
David Madore, Commissioner

Christopher Horne, WSBA #12557
Chief Civil Deputy

By: _____
Edward L. Barnes, Commissioner