

H2
10/27/20

An ordinance creating a chapter in the Clallam County Code title Fireworks

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section xxx.010, Definitions, is created to read as follows:

For purposes of this chapter, the following definitions apply

(1) "Fireworks" means a type of firework as further defined in RCW 70.77.136 as currently enacted or hereafter amended.

(2) "Fire Danger" means Industrial Fire Precaution Level 3 or 4 as declared by the Washington Department of Natural Resources.

(3) "Governing Body" means the Clallam County Board of County Commissioners or "Board."

Section xxx.020, Applicability, is created to read as follows:

The provisions of this chapter shall be applicable to the discharge and use of all fireworks except toy paper caps containing not more than twenty-five hundredths grain of explosive compound for each cap and trick or novelty devices not classified as consumer fireworks.

Section xxx.030, Prohibition due to fire danger, is created to read as follows:

Discharge or use of Fireworks is prohibited during periods of Fire Danger. Notice of the prohibition shall be posted on the home page of the County's publicly-available web site and the Fire Marshal shall issue a press release which shall be sent to all members of the media who have requested notice.

Section xxx.040 Dates and times Consumer Fireworks may be discharged, is created to read as follows:

In areas of Clallam County east of the Elwha River, Consumer Fireworks may only be used or discharged between 9:00 am and midnight on July 4 of each year.

In areas of Clallam County west of the Elwha River, Consumer Fireworks may be used or discharged at all times allowed pursuant to state law as set forth in RCW 70.77.

Section xxx.050, Chapter in connection with state law, is created to read as follows:

This chapter is intended to augment Chapter 70.77 RCW, and shall be construed in connection with that law and any and all rules or regulations issued pursuant thereto. Should there be a discrepancy between this Chapter and Ch. 70.77 RCW, the text deemed more stringent shall apply.

Section xxx.060 Effective Date, is created to read as follows:

This chapter shall take effect one year after its adoption by the Board.

Section xxx.070, Enforcement, is created to read as follows:

The County Sheriff, or his designee, is authorized to enforce all provisions of this chapter.

Section xxx.080, Penalty for violations, is created to read as follows:

Any person violating or failing to comply with any provisions of this chapter is guilty of an infraction and subject to a fine of up to \$250.00.

ADOPTED this twenty-seventh day of October 2020.



ATTEST:

L. Gores

Loni Gores, CMC
Clerk of the Board

BOARD OF CLALLAM COUNTY COMMISSIONERS

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Mark Ozias, Chair

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Randy Johnson

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Bill Peach