

ORIGINAL

WP0186C-ORD
05/26/93

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4535

AN ORDINANCE prohibiting the retail sale, display and discharge of fireworks in the City of Bellevue except by permit; adding a new Section 23.11.779 to the Bellevue City Code; amending Sections 23.11.780 and .781 of the Bellevue City Code; and providing an effective date.

WHEREAS, the risk of fire and the danger to public safety and property are increased by the sale and discharge of fireworks within the City; and

WHEREAS, the discharge of both illegal and legal (common) fireworks contribute to the risk of fire within the City; and

WHEREAS, the City Council has determined that it is in the best interests of the safety and health of its residents to prohibit the retail sale, display and discharge of fireworks within the City at all times except by permit; now therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 23.11.779 is added to Chapter 23.11 of the Bellevue City Code to read as follows:

23.11.779 Fireworks - Definition

Section 78.101 of the Uniform Fire Code as adopted by this chapter is amended to read as follows:

"Section 78.101. For definition of FIREWORKS, see RCW 70.77.126."

Section 2. Section 1 of Ordinance No. 3838 and Section 23.11.780 of the Bellevue City Code are amended to read as follows:

23.11.780 Fireworks - Discharge Prohibited.

No person shall ignite or discharge any fireworks at any time.

Exceptions:

1. Public displays authorized by permit issued by the City pursuant to RCW 70.77.260(2).

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2. Use by a group or individual for religious or other specific purposes on an approved date at an approved location pursuant to a permit issued pursuant to RCW 70.77.311(2)(c) and (d).
3. Use of trick and novelty devices as defined in WAC 212-17-030, as amended, and use of agricultural and wildlife fireworks as defined in WAC 212-17-045, as amended.

Section 2. Section 21 of Ordinance No. 3376, as amended by Section 2 of Ordinance No. 3838, and Section 23.11.781 of the Bellevue City Code are amended to read as follows:

23.11.781 Uniform Fire Code Section 78.102 amended - Fireworks Permits

Section 78.102 of the Uniform Fire Code, as adopted by this chapter, is amended to read as follows:

- "Section 78.102(a) No person, firm or corporation shall manufacture, sell at wholesale, or store fireworks or engage in a public display of fireworks without first having obtained an applicable permit issued by the City pursuant to chapter 70.77 RCW (State Fireworks Law) and chapter 212-17 WAC (Rules of the State Fire Marshall Relating to Fireworks).
- (b) No person, firm or corporation shall sell at retail any fireworks at any time
 - (c) The chief may impose additional requirements consistent with chapter 212-17 WAC as a condition of any permit.
 - (d) The chief may summarily revoke any fireworks permit(s) for failure to correct a violation of rules or conditions.

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Section 3. This ordinance shall take effect and be in force one year after the date of its passage.

PASSED by the City Council this 7th day of June, 1993,
and signed in authentication of its passage this 7th day of
June, 1993.

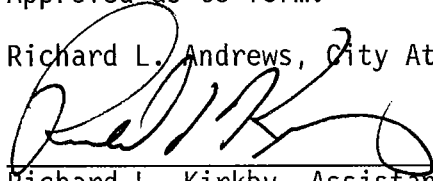
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Cary Bozeman, Mayor

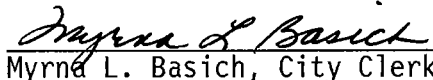
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published June 11, 1993