

ORDINANCE 2022-1077

**AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, AMENDING
CHAPTER 7 OF TITLE 7 OF THE WAITSBURG MUNICIPAL CODE AND
AUTHORIZING THE MAYOR TO PROHIBIT FIREWORKS DISCHARGE DURING
TIMES OF EXTREME FIRE DANGER**

WHEREAS, the State of Washington regulates the sale, discharge and display of fireworks through Chapter 70.77 RCW; 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 has determined it appropriate to amend the City of Waitsburg Municipal Code Title 7 Chapter 7 Fireworks in order to further authorize the Mayor to prohibit fireworks discharge during times of extreme fire danger; and

WHEREAS, in accordance RCW 70.77.250(4), this ordinance will become effective one year from the date of its adoption; and

NOW THEREFORE, the City Council of the City of Waitsburg ordains as follows:

Section I. Amend. Chapter 7 of the City of Waitsburg Municipal Code titled, "Fireworks," is hereby amended by adding the following provision:

"70.07.030 Emergencies - Restrictions on Use. The Mayor, after consulting with the Fire Chief of Fire Protection District #2, and other officials as may be deemed appropriate, may prohibit the discharge of all fireworks during periods of extreme fire danger through a written proclamation, issued with or without Council approval. For the purposes of this Chapter, the term "extreme fire danger" shall mean a period of hot, dry weather, accompanied by low fuel moistures. It is during this period that wild land fires can be expected, and fire growth will be accelerated."

Section II. Severability. If any section, sentence, cause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdictions, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this ordinance

Passed by the Waitsburg City Council this 15th day of June, 2022

APPROVED

APPROVED AS TO FORM

Mayor Marty Dunn

City Attorney Jared Hawkins

ATTEST:

City Clerk Randy Hinchliffe