

BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF FIREWORKS IN STEVENS COUNTY

Ordinance No. 2022-03

AUTHORITY TO PROHIBIT DISCHARGE OF FIREWORKS IN UNSAFE (HAZARDOUS) WEATHER CONDITIONS

WHEREAS, RCW 70.77.111 intends that fireworks, when purchased and used in compliance with the laws of the state of Washington, are legal and the legislature intends that this RCW 70.77 is regulatory only, and not prohibitory; and

WHEREAS, RCW 70.77.165 defines "fire nuisance" to mean anything or any act which increases, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire; or which may obstruct, delay, or hinder, or may become the cause of any obstruction, delay, or a hindrance to the prevention or extinguishment of fire; and

WHEREAS, RCW 70.77.250 (4) provides that any ordinances adopted by a county or city that are more restrictive than state law shall have an effective date no sooner than one year after their adoption; and

WHEREAS, the Stevens County Fire Marshall has developed a policy which guides the recommendation to temporarily ban fireworks use or display; and

WHEREAS, in times of high fire danger, a temporary ban on fireworks, as determined by the Fire Marshall, may be necessary; and

WHEREAS, the legislative authority finds that in order to protect the health, safety, and welfare of the public, protect life and property, and avoid a fire nuisance, it is necessary to adopt certain fire safety requirements; and

NOW THEREFORE BE IT ORDAINED, that on advice of the Stevens County Fire Marshall the legislative authority may prohibit the discharge of fireworks within the unincorporated areas of Stevens County by Resolution on a temporary basis for one display or use season: and

BE IT FURTHER ORDAINED that this temporary ban may or may not affect the entire County; and

BE IT FURTHER ORDAINED that this ban may or may not affect the sales of fireworks within the County; and

BE IT FURTHER ORDAINED that this ordinance shall take affect one year after being adopted and signed.

Passed by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 21 day of June 2022.

3 YEA; 0 ABSTAIN; and 0 ABSENT



BOARD OF COUNTY COMMISSIONERS OF STEVENS COUNTY, WASHINGTON

Attest:

Jonnie R. Brown
Clerk of the Board

Chairman Greg Young

Commissioner Wes McCart

Commissioner Mark Burrows

Approved as to form:

Prosecutor's Office