

**CITY OF STEVENSON, WASHINGTON
ORDINANCE NO. 2023-1201**

**AN ORDINANCE AMENDING TITLE 8 OF THE STEVENSON MUNICIPAL CODE ADDING
CHAPTER 8.58 AUTHORIZING THE RESTRICTION OF PERSONAL FIREWORKS
DISCHARGE DURING TIMES OF RECREATIONAL FIRE BURN BANS**

Whereas, Chapter 70.77 RCW, the State Fireworks Law, regulates the purchase, sale and discharge of fireworks; and

Whereas, RCW 70.77.250(4) permits cities to adopt ordinances with more strict 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 desires to authorize the Fire Marshall to prohibit personal fireworks discharge during times of recreational fire burn bans; and

Whereas, the purpose of this Ordinance is not to place a ban or restriction on the sale of fireworks greater than the restrictions set forth in RCW 70.77, but to protect the real and personal property of the residents of the City when appropriate.

NOW, THEREFORE, the City Council of the City of Stevenson do hereby ordain as follows:

Section 1. Stevenson Municipal Code Title 8 is amended to add a new section as follows:

Chapter 8.58 – FIREWORKS

8.58.010 – RCW adopted.

Except as otherwise provided herein, Chapter 70.77 RCW, the State Fireworks Law, is hereby adopted by reference, including all future amendments or additions thereto.

8.58.020 – Definitions.

The definitions of Chapter 70.77 RCW as now stated or hereafter amended shall govern the construction of this Chapter, when applicable.

8.58.020 – Emergencies-Restrictions on use.

When the Fire Marshall issues a ban on recreational fires, all discharge of private fireworks shall be prohibited until the ban is lifted. It is during this period that wildland fires can be expected, and fire growth will be accelerated. This does not prohibit the use of fireworks by a valid permit issued by the fire official.

Section 2. If any section, subsection, sentence, clause, phrase, or other portion of this ordinance, or its application to any person, is, for any reason, declared invalid, in whole or in part, by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions thereof.

THIS ORDINANCE SHALL TAKE EFFECT and be in force one (1) year after its publication according to law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2023.

Scott Anderson, Mayor

APPROVED AS TO FORM:

ATTEST:

Robert C. Muth
City Attorney

Leana Kinley, City Clerk