

CITY OF WHITE SALMON
ORDINANCE NO. 2013-07-920

AN ORDINANCE OF THE CITY OF WHITE SALMON RESTRICTING FIREWORK DISPLAYS TO SPECIFIC DATES AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of White Salmon formerly regulates the sale and discharge of consumer fireworks pursuant to WSMC Ch. 8.20; and

WHEREAS, RCW 70.77.250 provides that a city may enact an ordinances to limit or prohibit the sale, purchase, possession or use of consumer fireworks that are more restrictive than state statute; and

RCW 70.77.250(4) provides that any ordinances adopted that are more restrictive than state law shall have an effective date no sooner than one year after the date of adoption; and.

WHEREAS, White Salmon experiences extreme fire conditions due to the low levels of precipitation in late spring and early summer, wind conditions, and fuel loads necessitating the issuance of emergency orders restricting the discharge of common fireworks in previous years; and

WHEREAS, the Council finds that limiting the discharge of consumer fireworks to certain dates and times will reduce fire danger to area residents, while allowing appropriate celebration of national events within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1 – Amending 8.20.010:

8.20.010 RCW sections adopted.

RCW Sections ~~70.77.126~~ **70.77.124** through ~~70.77.205~~ **70.77.241** are hereby adopted by this reference.

SECTION 2 – Adding new section 8.20.015:

8.20.015. Discharge of Consumer Fireworks – Dates and Times Permitted.

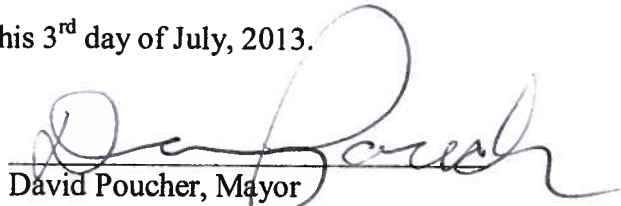
No person shall use or explode any fireworks, common or otherwise, within the City of White Salmon, except the days of July 4 only between the hours of nine o'clock a.m. and 11 o'clock p.m. and from 6 o'clock p.m. on December 31 to 1 o'clock a.m. on January 1 (the

following day) of any year, PROVIDED, that this prohibition shall not apply to permitted public firework displays where the same are authorized pursuant to the laws of the City of White Salmon and the State of Washington.

SECTION 3 - SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 4 - EFFECTIVE DATE. This ordinance shall become effective one year following passage and publication as provided by law.

PASSED in regular session this 3rd day of July, 2013.



David Poucher, Mayor



Leana Johnson, Clerk-Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney