

**ORDINANCE NO. 2014-09-04**

**AN ORDINANCE amending the Clark County Code related to the discharge of fireworks.**

WHEREAS, historically the same rules regulated the discharge of fireworks in the urban and rural areas of the county; and

WHEREAS, members of the public have requested a reduction in the number of days during which fireworks may be discharged; and

WHEREAS, the Board is attempting to balance the competing interests of those who wish to celebrate the holidays with those who have raised concerns of noise, safety and general nuisance issues; and

WHEREAS, the board is considering the matter at a duly-advertised public hearing and concludes that adoption will further the public health, safety and welfare; now, therefore

BE IT ORDERED, RESOLVED AND DECREED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

**Section 1. Amendatory.** Section 4 of Ordinance 1977-06-02 as most recently amended by Section 1 of Ordinance 2009-04-10, and codified as CCC 5.28.040, are each amended to read:

**5.28.040 Dates when sale permitted.**

No common fireworks shall be sold or offered for sale at retail, except from 12:00 noon on the 28<sup>th</sup> day of June to 11:00 p.m. on the 4<sup>th</sup> day of July of any year. Further,

the sale ((and discharge)) of common fireworks are expressly prohibited at any time surrounding the New Year, including December 31<sup>st</sup>.

**Section 2. Amendatory.** Section 5 of Ordinance 1977-06-02, as most recently amended by Section 2 of Ordinance 2009-04-10, and codified as CCC 5.28.050, are each amended to read:

**5.28.050 Dates when use permitted.**

No person shall use or explode any fireworks within the unincorporated areas of the county of Clark except as shown ((provided)) in Tables 5.28.050(1) and 5.28.050(2) below; provided, that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the state of Washington. The north/south boundary is the east/west extension of the line made up by a NE/NW 219<sup>th</sup> street across the county.

<b>Table 5.28.050(1) Allowed dates and times for use of fireworks (south of 219th Street)</b>		
<b><u>Date / Time</u></b>	<b><u>2015</u></b>	<b><u>2016 and Beyond</u></b>
June 28, Noon to 11:00 p.m.	Allowed	Not allowed
June 29, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
June 30, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 1, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 2, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 3, 9:00 a.m. to 11:00 p.m.	Allowed	Not allowed
July 4, 9:00 a.m. to Midnight	Allowed	Allowed
December 31, 6:00 p.m. until 1:00 a.m.	Not Allowed	Allowed

**Table 5.28.050(2) Allowed dates and times for use of fireworks (north of 219th Street)**

<u>Date / Time</u>	<u>2015</u>	<u>2016 and Beyond</u>
June 28, Noon to 11:00 p.m.	Allowed	Allowed
June 29, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
June 30, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 1, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 2, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 3, 9:00 a.m. to 11:00 p.m.	Allowed	Allowed
July 4, 9:00 a.m. to Midnight	Allowed	Allowed
December 31, 6:00 p.m. until 1:00 a.m.	Not Allowed	Allowed

**((Table 5.28.050**

28	June	12:00 noon — 11:00 p.m.
29	June	9:00 a.m. — 11:00 p.m.
30	June	9:00 a.m. — 11:00 p.m.
31	June	9:00 a.m. — 11:00 p.m.
1	July	9:00 a.m. — 11:00 p.m.
2	July	9:00 a.m. — 11:00 p.m.
3	July	9:00 a.m. — 11:00 p.m.
4	July	9:00 a.m. — 12:00 midnight

))

**Section 3. Amendatory.** Section 10 of Ordinance 1977-06-02 as most recently amended by Section 3 of Ordinance 2009-04-10 and codified as CCC 5.28.100, are each amended to read:

**5.28.100 Temporary stands.**

Temporary stands, structures or facilities used for the retail sale or temporary storage of common fireworks shall be in accordance with the applicable portions of Chapter 70.77 RCW and Chapter 212-17 WAC. In addition to the above requirements, each retail fireworks stand shall provide signage indicating the dates and times fireworks may be legally discharged in Clark County. Such signage must be placed where it is easily readable by the public where the sales transactions occur. The sign shall contain the following information: Fireworks may be discharged in Clark County only during the following dates and times – June 28<sup>th</sup> from 12:00 noon to 11:00 p.m.; June 29<sup>th</sup> through July 3<sup>rd</sup> from 9:00 a.m. to 11:00 p.m.; July 4<sup>th</sup> from 9:00 a.m. to midnight.

For the sales year 2016 and after, the signs shall contain the following information:

**NORTH OF 219<sup>TH</sup> STREET**

- June 28<sup>th</sup>, from 12:00 noon to 11:00 p.m.; June 29<sup>th</sup> through July 3<sup>rd</sup> from 9:00 a.m. to 11:00 p.m.; July 4<sup>th</sup> from 9:00 a.m. to midnight
- December 31, from 6:00 p.m. until 1:00 a.m. on New Year's Day

**SOUTH OF 219<sup>TH</sup> STREET**

- July 4<sup>th</sup> from 9:00 a.m. to 12:00 midnight

- December 31<sup>st</sup> from 6:00 p.m. until 1:00 a.m. on News Years

Letters for the sign must be at least one (1) inch tall on a contrasting background.

ADOPTED this 16<sup>th</sup> day of September, 2014.

Attest:

  
Clerk to the Board

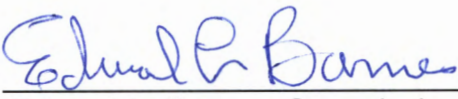
Approved as to form only:  
ANTHONY F. GOLIK  
Prosecuting Attorney

  
Christopher Horne, Deputy

BOARD OF COMMISSIONERS  
FOR CLARK COUNTY

By: \_\_\_\_\_  
Tom Mielke, Chair

By:   
David Madore, Commissioner

By:   
Edward L. Barnes, Commissioner

