

# CITY OF KALAMA - AGENDA ITEM REQUEST FORM

The Kalama Mayor and City Council would like you to know that the public is always welcomed and encouraged to attend City Council Meetings. A "Public Concerns" section is observed during every meeting.

DESIRED CITY COUNCIL MEETING: July 15 2015  
(Month) (Day) (Year)

YOUR NAME: Richard & Karen Voss

ADDRESS: 179 N 4th ST Phone #: 360-442-9693

(AGENDA ITEMS MUST BE RECEIVED AT CITY HALL NO LATER THAN NOON ON THE FRIDAY PRIOR TO THE DESIRED MEETING. MEETINGS ARE HELD THE 1ST AND 3RD WEDNESDAYS OF EACH MONTH.)

AGENDA ITEM TITLE: (What would you like to talk to the Council about?) Fireworks Ord.

AGENDA ITEM SUMMARY: (Please give a brief description of the issue, concern, problem, or whatever it is you wish to discuss with Council) with the recent spell of Hot & Dry weather we think it would be reasonable for the City Council to have the ability to curtail the use of fireworks if and when they deem necessary.

In the letter from the cities AWC Risk Management Service Agency Dated June 29, 2015 the last paragraph states that cities do have (over)

YES/NO\*\* Please indicate "Yes" or "No". If the above item is a concern or problem, have you followed the proper City Procedure for resolution of the issue prior to asking for the item to be brought before the Council?

City Procedure is . . .

Yes

a. Consult with City staff for City policy on the issue. (A lot of times, City staff can answer your questions or help solve your problems without your having to attend a Council meeting.)

NO

b. If the City staff cannot help, have you discussed the issue with the Mayor?

By taking the above steps prior to being put on the agenda, the City staff and Mayor can research the issue. If they cannot help you, they can give the Council background information on the issue, problem, or concern.

\*\* If the above steps have not been followed and you still want the issue placed on the agenda, Council may not have enough information to make a decision at the current meeting. You would then need to wait at least another two weeks for resolution of your issue.

## Coni McMaster

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**From:** AWC Risk Management Service Agency <news@awcnet.org>  
**Sent:** Monday, June 29, 2015 2:56 PM  
**To:** cityclerk@kalama.com  
**Subject:** Fireworks bans

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## Fireworks bans

Washington's extremely hot weather, coupled with the lack of rain, has cities and towns understandably concerned about fire dangers brought about by fireworks over the 4th of July holiday.

***Can a city or town enact an emergency ban on the discharge of fireworks due to this year's high fire danger?***

The short answer is "It appears not."

There is no authority in the state "fireworks law", [chapter 70.77 RCW](#), for an emergency ban that can go into effect immediately. According to the State Fire Marshal's Office, only the Governor can declare a statewide fire danger emergency which might allow cities and towns to have the authority to ban fireworks this year.

Here are three risk management strategies:

1. **Cities and towns do have the authority to control the discharge of illegal fireworks using law enforcement.** Work with your law enforcement agency on this issue. There are several sources of illegal fireworks, which are generally not sold in permitted fireworks stands located in your municipality. An aggressive enforcement of illegal fireworks is appropriate.
2. **Public education about the high fire danger and the dangers of fireworks.** Use reader boards, flyers, information on your website, and temporary signs on city vehicles, social media, and the fire department visiting with citizens during the next few days. The more methods the better.
3. **Promote attendance at professional fireworks displays.**

Long-term, cities and towns do have the authority to regulate the discharge of fireworks to protect health and public safety as authorized in [chapter 70.77 RCW](#). If your council decides to regulate the discharge of fireworks, that action takes effect one year after the adoption of the regulations.

Always consult with your city or town attorney before taking any action. For additional information, contact the Loss Prevention staff at RMSA at (800) 562-8981 x114.



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[70.77.386](#) << [70.77.395](#) >> [70.77.401](#)

### RCW 70.77.395

## Dates and times consumer fireworks may be sold or discharged — Local governments may limit, prohibit sale or discharge of fireworks.

(1) It is legal to sell and purchase consumer fireworks within this state from twelve o'clock noon to eleven o'clock p.m. on the twenty-eighth of June, from nine o'clock a.m. to eleven o'clock p.m. on each day from the twenty-ninth of June through the fourth of July, from nine o'clock a.m. to nine o'clock p.m. on the fifth of July, from twelve o'clock noon to eleven o'clock p.m. on each day from the twenty-seventh of December through the thirty-first of December of each year, and as provided in RCW [70.77.311](#).

(2) Consumer fireworks may be used or discharged each day between the hours of twelve o'clock noon and eleven o'clock p.m. on the twenty-eighth of June and between the hours of nine o'clock a.m. and eleven o'clock p.m. on the twenty-ninth of June to the third of July, and on July 4th between the hours of nine o'clock a.m. and twelve o'clock midnight, and between the hours of nine o'clock a.m. and eleven o'clock p.m. on July 5th, and from six o'clock p.m. on December 31st until one o'clock a.m. on January 1st of the subsequent year, and as provided in RCW [70.77.311](#).

(3) A city or county may enact an ordinance within sixty days of June 13, 2002, to limit or prohibit the sale, purchase, possession, or use of consumer fireworks on December 27, 2002, through December 31, 2002, and thereafter as provided in RCW [70.77.250](#)(4).

[2002 c 370 § 31; 1995 c 61 § 22; 1984 c 249 § 24; 1982 c 230 § 31; 1961 c 228 § 56.]

### Notes:

**Severability -- 2002 c 370:** See note following RCW [70.77.126](#).

**Severability -- Effective date -- 1995 c 61:** See notes following RCW [70.77.111](#).