

ORDINANCE 958

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RESTRICTING THE TIME OF SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY OF LACEY AND AMENDING SECTIONS 9.20.030 AND 9.20.046 OF THE LACEY MUNICIPAL CODE.

WHEREAS, the City Council of the City of Lacey finds that the public peace and safety of residents of the City were furthered by the additional restrictions upon the time of sale and discharge of common fireworks in the City during 1992 and that the residents would be further benefitted by continuing such restrictions; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 9.20.030 is hereby amended to read as follows:

9.20.030 Sales, possession and discharge of fireworks.

1. Toy pistols, toy canes, toy guns or other similar devices in which paper caps containing not more than 25/100 grain of explosive compound for each cap may be sold at all times.

2. Common fireworks may be sold ~~or discharged~~ in the city ~~from 12:00 noon on the 28th day of June to 12:00 noon on the 6th~~ between the hours of 9:00 a.m. and 11:00 p.m. on the 1st through the 4th day of July of each year. ~~—Except that no common fireworks may be sold or discharged between the hours of 11:00 p.m. and 9:00 a.m.~~ Such common fireworks may be discharged only between

the hours of 9:00 a.m. and 11:00 p.m. on July 3rd and 4th of each year.

3. The sale, use and possession of special fireworks or any other fireworks not described in subsections 1 and 2 of this section shall be unlawful unless sold, possessed or used in accordance with the provisions of chapter 70.77 RCW.

Section 2. Section 9.20.046 is hereby amended to read as follows:

9.20.046 Fireworks--Unlawful possession or discharge.

It shall be unlawful for any person, within the city of Lacey, to:

1. Possess fireworks which are not authorized by the terms of this chapter or authorized to be in the possession of a licensee pursuant to chapter 70.77 RCW. Possession of less than one pound of said unauthorized fireworks, exclusive of external packaging, shall constitute a misdemeanor and possession of one pound or more of said non-authorized fireworks, exclusive of external packaging, shall constitute a gross misdemeanor. For purposes of this subsection, the term "external packaging" means any materials that are not an integral part of the operative unit of the fireworks.

2. Discharge common fireworks in the city except between the hours of 9:00 a.m. and 11:00 p.m. on July 3rd and 4th of each year. ~~after 12:00 noon on the 6th day of July of each year and prior to 12:00 noon on the 28th day of June of each year or to so discharge such fireworks between the hours of 11:00 p.m. and 9:00 a.m.~~ Violation of this subsection shall constitute a misdemeanor.

3. Discharge or otherwise use fireworks in a reckless manner which creates a substantial risk of death or serious physical injury to another person or damage to the property of another. A violation of this section shall constitute a gross misdemeanor.

4. To allow rubbish to accumulate in any premises in which fireworks are stored or sold or to permit a fire nuisance to exist on such premises. A violation of this subsection shall constitute a misdemeanor.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,
this 25th day of March, 1993.

CITY COUNCIL

By *Gene Carquest Liddell*
Mayor

Attest:

Approved as to form:

Charlotte M. Taylor
City Clerk

[Signature]
City Attorney

Published: Tuesday, March 30, 1993