BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY
STATE OF WASHINGTON

ORDINANCE NO. 2016-__

ORDINANCE TO AMEND TITLE 9 OF THE KITTITAS COUNTY CODE TO ADD SECTION 9.09.035 FIRE MARSHAL'S AUTHORITY TO PROHIBIT DISCHARGE, AND TO ADOPT POLICY FM 01-10 IMPLEMENTING A FIREWORKS BAN

WHEREAS: Revised Code of Washington (RCW) 70.77.250 allows counties and cities to adopt code more restrictive than state law with an effective date one year after adoption; and

WHEREAS: RCW 70.77 also provides that local fireworks ordinances are not in effect until a year after their adoption; and

WHEREAS: In times of high fire danger a temporary ban on fireworks, as determined by the Fire Marshal may be necessary; and

WHEREAS: The Board finds that in order to protect the health, safety and welfare of the public, it is necessary to adopt certain fire safety requirements;

WHEREAS: The Fire Marshal has determined that a temporary ban on fireworks mitigates damage and risk to life and property and reduces the risk of fires due to fireworks; and

WHEREAS: Amendment to Title 9 to add language granting the Fire Marshal the authority to implement a ban when critical fire weather and data indicates a ban is necessary; and

WHEREAS: The Board received recommendations from the Fire Marshal to adopt the new code; and

WHEREAS: The Board held a public hearing regarding amending Title 9 and adopting policy FM 01-10;

NOW, THERFORE, BE IT ORDAINED That the Board of County Commissioners after due deliberation and in the best interest of the public, does hereby amend Kittitas County Code Title 9 to add a new section as follows:

> **KCC 9.30.035 Fire Marshal's Authority To Prohibit Discharge**
>
> The Kittitas County Fire Marshal is authorized to prohibit the ignition or discharge of fireworks within the unincorporated areas of Kittitas County whenever the fire danger components and indices have reached or exceeded those described in Standard Operating Procedure F01-10 as now existing or as hereafter amended.

BE IT FURTHER ORDAINED That such amendment shall be effective one year after execution of this document by the Board of County Commissioners.

BE IT FURTHER ORDAINED The Kittitas County Information Technology Department is to add the above new section to the county code on the Kittitas County website.

BE IT FURTHER ORDAINED The Prosecuting Attorney's Office is charged with correcting any scrivener's errors it notices and determines arose out of the amendment and enactment process. No further authorization will be required from the Board of County Commissioners for the Prosecuting Attorney's Office to effect correction of scrivener's errors relating to this Ordinance and the Prosecutor's Office shall direct Information Technology to make such needed corrections.

ADOPTED this _____ day of _____ 2016.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

_____
Commissioner Obie O'Brien, Chairman

_____
Commissioner Paul Jewell, Vice-Chairman

_____
Commissioner Gary Berndt

ATTEST:

_____
Julie A. Kjorsvik,
Clerk of the Board

APPROVED AS TO FORM:

_____
Gregory L. Zempel
Prosecuting Attorney
WSBA #19125