BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING KITTITAS COUNTY CODE TITLE 9 REGARDING IGNITION OR DISCHARGE OF FIREWORKS IN KITTITAS COUNTY

WHEREAS, Revised Code of Washington (RCW) 70.77.250 allows counties to adopt fireworks ordinances that are more restrictive than state law provided the ordinance shall not have an effective date sooner than one year after adoption; and

WHEREAS, Kittitas County Code (KCC) 9.30.030 prohibits ignition or discharge of fireworks at any time other than July 4th and December 31st until 1:00 a.m. on January 1st; and

WHEREAS, Ignition or discharge of fireworks may be allowed other times of the year when fire danger is low, subject to Fire Marshal approval and adequate notice to surrounding property owners; and

WHEREAS, KCC 9.30.035 currently authorizes the Fire Marshal to prohibit the ignition or discharge of fireworks only when certain fire danger components and indices have been reached, but does not allow the Fire Marshal to ban fireworks when these thresholds have not been reached; and

WHEREAS, The Fire Marshal should have the authority to ban fireworks in conjunction with an established burn ban, even when the fire danger components and indices have not been reached; and

WHEREAS, Kittitas County staff prepared proposed amendments to KCC 9.30.030 and 9.30.035 for consideration by the Board of County Commissioners at a public hearing; and

WHEREAS, Public notice for a public hearing to consider the amendments was provided in the Daily Record on April 18, 2019 and April 25, 2019; and

WHEREAS, The Board of County Commissioners conducted a public hearing to consider the proposed amendments on May 7, 2019; and

WHEREAS, At the May 7, 2019 public hearing, the proposed amendments were considered and approved by the Board of County Commissioners.
NOW, THEREFORE, BE IT ORDAINED, that the Board of County Commissioners, after due deliberation, does hereby adopt the amendments to Title 9 of Kittitas County Code as shown in the attached Exhibit A, effective May 21, 2020.

ADOPTED this ___21st___ day of ___May___________, 2019

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Cory Wright, Chairman

Brett Wachsmith, Vice-Chairman

Laura Osiadacz, Commissioner

ATTEST
CLERK OF THE BOARD
☐Clerk of the Board- Julie Kjorsvik
☐ Deputy Clerk of the Board- Mandy Buchholz

APPROVED AS TO FORM:

_____________________
Neil Caulkins,
Deputy Prosecuting Attorney
Exhibit A
9.30.030 Prohibition against discharge.
The county of Kittitas County prohibits the ignition or discharge of fireworks within the unincorporated areas of Kittitas County except between the period from 9:00 a.m. to 11:59 p.m. on July 4th and from 9:00 a.m. December 31st to 1:00 a.m. of the following day (January 1st) of each year. (Ord. 99-09, 1999; Ord. 956, 1995). The Kittitas County Fire Marshal may authorize ignition or discharge of fireworks on other days and times dependent on fire danger and subject to fireworks permit approval. As a condition of fireworks permit approval, the applicant shall be required to provide written notice to the landowners of all properties located within five hundred (500) feet of the site of the firework ignition or discharge. The notice shall include date and time of the proposed firework ignition or discharge.

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 following fire danger components and indices have been reached or exceeded as those described in Standard Operating Procedure F01-10 as now-existing or as hereafter amended in at least one of three Remote Automated Weather Stations (RAWS):

1. The Burning Index is at least 18; and
2. The Fuel Moisture Content of the 10 hour fuels is below 8; and
3. The Energy Release Component is in the 90th percentile (42 for upper county and 44 for lower county); and
4. Fire weather predictions; and
5. Resource depletion

In the event that a burn ban has been established in accordance with KCC 20.08, the Fire Marshal is authorized to prohibit the ignition or discharge of fireworks, even if the above fire danger components and indices have not been reached or exceeded.