

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**ORDINANCE NO. 2019-006**

**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 4<sup>th</sup> and December 31<sup>st</sup> 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

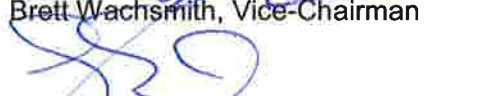
**BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON**



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:

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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 ~~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 90<sup>th</sup> 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.