

ORDINANCE NO. 1317

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO FIREWORKS DISCHARGE REGULATIONS; AMENDING SECTION 8.20.120 OF THE GIG HARBOR MUNICIPAL CODE, TIME LIMIT – USE OF FIREWORKS; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 1982 the City of Gig Harbor adopted Ordinance No. 418 in order to provide regulation for the sale and use of fireworks consistent with state law; and

WHEREAS, the City of Gig Harbor may adopt local amendments to limit, prohibit sale or discharge of fireworks consistent with Chapter 70.77 RCW; and

WHEREAS, City staff met with the Planning and Building Committee of the City Council on May 4, 2015 to discuss amendments to the fireworks regulations of the Gig Harbor Municipal Code; and

WHEREAS, the Planning and Building Committee of the City Council directed staff to propose an amendment addressing changes regarding hours of discharge and present to City Council for direct consideration; and

WHEREAS, the City finds that the local amendments contained herein are desirable to protect the public peace;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 8.20.120 of the Gig Harbor Municipal Code is amended as follows:

8.20.120 Time limit – Use of fireworks.

No person shall use or ~~explode~~ discharge any fireworks within the corporate limits of Gig Harbor except ~~from 12:00 noon on June 28th to 12:00 noon on July 5th of any year~~ between the hours of 9:00 a.m. and 11:00 p.m. on July 1 through July 3, and between the hours of 9:00 a.m. and midnight on July 4; provided, that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the state of Washington.


Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Copy to Chief of the Washington State Patrol. Pursuant to RCW 70.77.250(4) the City Clerk is directed to send a copy of this ordinance to the Chief of the Washington State Patrol for his files within ten (10) days after adoption of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force on June 22, 2016 and publication of an approved summary consisting of the title.


PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 22nd day of June, 2015.

CITY OF GIG HARBOR



Mayor Jill Guernsey

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney



Angela G. Summerfield

FILED WITH THE CITY CLERK: June 3, 2015
PASSED BY THE CITY COUNCIL: June 22, 2015
PUBLISHED: July 1, 2015
EFFECTIVE DATE: June 22, 2016
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