

**CITY OF MAPLE VALLEY, WASHINGTON**

**ORDINANCE O-15-588**

**AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, REPEALING CHAPTER 8.05 ENTITLED “FIREWORKS”; AMENDING CHAPTER 8.10 ENTITLED “FIREWORKS PERMITS” TO BAN USE AND SALE OF FIREWORKS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, after review and discussion, the City Council has determined it appropriate to amend Chapter 8.10 of the Maple Valley Municipal Code (“MVCC”), Fireworks Permits, to ban the sale and use of fireworks in the City of Maple Valley, with exceptions for duly authorized public displays and duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2); and

**WHEREAS**, City of Maple Valley City Council passed Resolution No. R-15-1050 on August 3, 2015, requesting a Special Election on the November 3, 2015 General Election for an Advisory Proposition asking Maple Valley voters to recommend the Council pass an Ordinance prohibiting the sale, possession, and discharge of consumer fireworks at all times within the Maple Valley City limits; and

**WHEREAS**, the election results of the Advisory Proposition No. 1 was “Yes,” (2,580 votes, 52.02%) and “No” (2,380, 47.98%); and

**WHEREAS**, in order to ensure consistency with the new language in Chapter 8.10 MVMC, Chapter 8.05 MVMC regarding the use of fireworks on public property shall be repealed; and

**WHEREAS**, Section 8.10.050 MVMC regarding local fireworks sales permits and Section 8.10.150 MVMC regarding reckless discharge of fireworks shall be repealed where they are inconsistent with the ban of sale and use of fireworks in the City of Maple Valley; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** Repealer. The following is hereby repealed:

A. Chapter 8.05 MVMC, entitled Fireworks.

**Section 2.** Section 8.10.040 of the MVMC, entitled “Sale and discharge of fireworks,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown

in ~~strike-through~~):

~~A. Except as may be provided in RCW 70.77.311, no fireworks shall be sold within the municipal City limits except that consumer fireworks may be sold from 12:00 noon to 11:00 p.m. on June 28th and from 9:00 a.m. to 11:00 p.m. June 29th through July 4th. No fireworks may be discharged at any time except that consumer fireworks may be discharged between the hours of 9:00 a.m. and 11:00 p.m. on the fourth day of July.~~

~~B. The sale of consumer fireworks shall also be allowed on the 31st of December between the hours of 9:00 a.m. to 11:00 p.m. Consumer fireworks may be discharged between the hours of 6:00 p.m. on December 31st and 1:00 a.m. on January 1st of the subsequent year.~~

~~C. It shall be unlawful for any person to engage in the retail/wholesale sale of any fireworks within the City without first having obtained a permit hereinafter set forth.~~

~~D. This section does not prohibit the sale or discharge of fireworks pursuant to a public display permit, as is allowed under RCW 70.77.290.~~

It is unlawful for any person to sell, possess, use, transfer, discharge, ignite or explode any fireworks within the city; provided that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

A. Duly authorized public displays, as provided in RCW 70.77.290; and

B. Duly authorized use by religious organizations or private organizations or persons, as provided in RCW 70.77.311(2), if:

1. Purchased from a licensed manufacturer, importer, or wholesaler;
2. For use on prescribed dates and locations; and
3. For religious purposes.

**Section 3.** Repealer. The following are hereby repealed:

A. Section 8.10.050, entitled “Local fireworks sales permits.”

B. Section 8.10.150, entitled “Reckless discharge or use prohibited.”

**Section 4.** Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or 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 5.** Effective Date. In accordance with RCW 70.77.250(4), this ordinance shall

take effect one year after final passage of this ordinance.

**ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING  
THEREOF ON THIS 7TH DAY OF DECEMBER 2015.**

CITY OF MAPLE VALLEY

---

William T. Allison, Mayor

ATTEST/AUTHENTICATED:

---

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

---

Patricia Taraday, City Attorney

Date of Publication: December 15, 2015

Effective Date: December 15, 2016