SECOND AGENDA REVISION NOTICE
FOR JUNE 9, 2015
(DISTRIBUTED AT 12:30 P.M. ON JUNE 8):

THE FOLLOWING ITEM HAS BEEN WITHDRAWN FROM PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE AND COUNCIL:

Approval of a joint request submitted by the Washington State Department of Transportation and Burlington Northern Santa Fe to temporarily close Loomis Trail Road south of Blaine to allow for road and rail improvements (AB2015-190) Pages 166 – 183

THE FOLLOWING ITEM HAS BEEN ADDED TO THE COUNCIL AGENDA – INTRODUCTION ITEMS:

Ordinance amending Whatcom County Code Chapter 5.20, Fireworks, to add a section titled Period of Use (AB2015-191) (proposed schedule – June 23 public hearing)
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
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<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
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<td>Division Head:</td>
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<td>6/23/15</td>
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<td>Dept. Head:</td>
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**TITLE OF DOCUMENT:**
Ord. revising WCC 5.20 regarding use of fireworks

**ATTACHMENTS:**
Ordinance and exhibit

| SEPA review required? | ( ) Yes | ( ) NO | Should Clerk schedule a hearing? | ( X ) Yes | ( ) NO |
| SEPA review completed? | ( ) Yes | ( ) NO |
| Requested Date: | 6/23/2015 |

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This ordinance amends WCC 5.20 to add a new section 5.20.095 to limit the use of fireworks to 6PM on July 3 to noon on July 5, and from 6 pm on December 31 to noon on January 2.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

<table>
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<tr>
<th>Related County Contract #:</th>
<th>Related File Numbers:</th>
<th>Ordinance or Resolution Number:</th>
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**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
ORDINANCE NO. _______

AMENDING WHATCOM COUNTY CODE CHAPTER 5.20, FIREWORKS

WHEREAS, Chapter 5.20 of the Whatcom County Code regarding the permitting of fireworks has not been updated in many years; and

WHEREAS, while Washington State Fireworks Law (RCW 70.77) permits the discharge of consumer fireworks during designated times from June 28th through July 5th, it also allows cities and counties the authority to adopt regulations on the use of fireworks that are more restrictive than state law; and

WHEREAS, according to the State Fire Marshal’s Office, some 169 cities and counties have restrictions or bans in place related to fireworks; and

WHEREAS, the Whatcom County Council desires to recognize the traditional use of fireworks to celebrate the United States of America’s Independence Day and our New Year’s Day; and

WHEREAS, the Council also recognized the need to respect public concerns regarding the impact of fireworks on counties, including the potential for fires and on the welfare of military veterans, children, animals, and those who have to work the day before and the day after holidays; and

WHEREAS, it is desirable to have this ordinance adopted and in place in advance of July 4, 2015.

NOW THEREFORE, BE IT ORDAINED by the Whatcom County Council that Chapter 5.20 of the Whatcom County Code is hereby amended to add a section titled Period of Use, as outlined in Exhibit A to this Ordinance.

ADOPTED this ____ day of __________, 2015.

ATTEST: WHATCOM COUNTY COUNCIL

Dana Brown-Davis, Clerk of the Council

Carl Weimer, Council Chair

WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM: WHATCOM COUNTY EXECUTIVE

Civil Deputy Prosecutor

Jack Louws, County Executive

( ) Approved ( ) Denied

Date Signed: ____________________
EXHIBIT A

Fireworks

5.20.095 Period of Use.

A person is guilty of illegally discharging common fireworks if he or she discharges them at any time other than from 6 PM on the third day of July to noon on the fifth day of July, or at any time other than from 6 PM on the thirty-first day of December to noon on the second day of January, or discharges them between the hours of 2 AM and 10 AM on the dates permitted for their discharge.