

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FIREWORKS, RESTRICTING THE TYPES OF FIREWORKS THAT MAY BE SOLD, USED OR POSSESSED, AND AMENDING SECTIONS 11.60.030, 11.60.110 AND 11.60.130 OF THE KIRKLAND MUNICIPAL CODE.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The following sections of the Kirkland Municipal Code are hereby amended to read as follows:

**11.60.030 Sale or use of unlawful fireworks.**

(a) It is unlawful for any person to sell, possess, use or explode any fireworks within the city which do not meet the definition of common fireworks as [~~defined-by-REW-70-77~~] set forth below.

(b) [~~REW-70-77~~] Definition[s] - "Common Fireworks"

(1) "Common fireworks" means any fireworks designed primarily to produce visual or audible effects by combustion. The term includes: Ground and hand-held sparking devices, including items commonly known as dipped sticks, sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, [~~ground-spinners,-and~~] glitter sparklers, and smoke devices [~~fireworks-common-known-as-helicopters,-aerials,-spinners,-Roman-candles,-mine-and-shells,-Class-E-explosives-classified-on-January-17-1984-as-common-fireworks-by-the-United-States-Department-of-Transportation~~].

(2) The term "common fireworks" does not include fireworks commonly known as firecrackers, salutes, chasers, skyrockets, [~~and~~] missile-type rockets, ground spinners, helicopters, aerial spinners, aerials, Roman candles, mines, shells or other aerial devices.

11.60.110 **Application of chapter.**

The provisions of this chapter shall apply to the sale of all common fireworks as defined [~~by-REW-70.77~~] herein, except as to the sales of "toy caps" and "sparklers." The license and the time restricting the sale of fireworks, as applied to "sparklers," shall not be applicable to the sale of "toy caps" and "sparklers."

11.60.130 **Chapter supplemental.**

This chapter is an exercise of the City's concurrent jurisdiction in the field of fireworks regulation, it is intended to [~~implement~~] carry out and supplement provisions of [~~REW~~] Chapter 70.77 RCW and shall be construed in connection with [~~the~~] that law and any and all rules and regulations issued pursuant thereto.

Section 2. This Ordinance shall be in force and effect one year from and after its passage by the Kirkland City Council and publication, as required by law.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

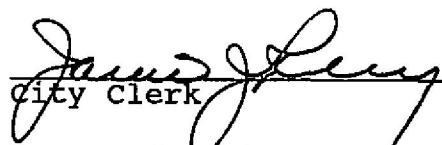
Passed by majority vote of the Kirkland City Council in regular, open meeting this 16th day of June, 1992.

Signed in authentication thereof this 16th day of June, 1992.

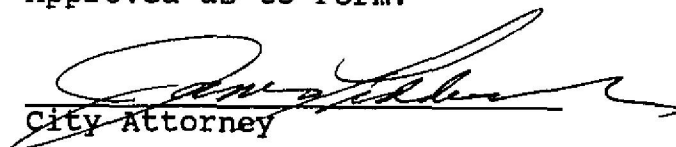


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MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

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