

**POULSBO DISTRIBUTION SCHEDULE**

**ORDINANCE NO. 2007-42**

**SUBJECT: Amend PMC Chapter 8.20, Fireworks**

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 9/24/2007
- (X) Passed by the City Council: 10/3/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 10/~~17~~<sup>20</sup>/2007
- (X) Effective: 10/~~22~~<sup>25</sup>/2007

DISTRIBUTED COPIES AS FOLLOWS: email all departments

- (K) NK Herald: Emailed by kj 10/5/2007
- (1) Ordinance or Resolution Book
- (K) Code Publishing - via email if in electronic format
- (1) City Attorney
- ( ) Civil Service Commission and/or Sec/Chief Examiner
- (K) Clerk's Department: Original
- ( ) City Council
- ( ) Finance:
- ( ) Fire District #18
- ( ) Mayor
- ( ) Municipal Court
- ( ) MRSC from website:
- ( ) Parks/Recreation:
- ( ) Planning/Building:
- ( ) Police
- ( ) Public Works:
- ( ) Public Works/Engr Section:
- ( ) Bookshelf Contracts Copy
- ( ) Kitsap Humane Society

Kj.  
City Clerk

10-5-2007  
Date

ORDINANCE NO. 2007-42

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO FIREWORKS; AMENDING 8.20.010 TO FIREWORKS – STATUTES ADOPTED BY REFERENCE; AND ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLE 70 OF THE REVISED CODE OF WASHINGTON IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND MISDEMEANORS AS CRIMINAL OFFENSES UNDER THE CITY’S MUNICIPAL CODE; AND UPDATING, 8.02.150 VIOLATION – PENALTY; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Poulsbo is concerned about the safety and welfare of its citizens; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO DO ORDAIN AS FOLLOWS:

**Section 1.** PMC 8.20.010 and Ordinance 2002-22 Section 1 are hereby amended to be read as follows:

8.20.010 Fireworks - statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140 the following sections of Chapter 70.77 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties.

RCW

- 70.77.126 through 70.77.241 Definitions
- 70.77.255 Acts prohibited without appropriate licenses and permits
- 70.77.410 Public displays not to be hazardous
- 70.77.485 Unlawful possession of fireworks – penalties
- 70.77.488 Unlawful discharge or use of fireworks
- 70.77.510 Unlawful sales or transfers of display fireworks - penalty
- 70.77.515 Unlawful sales or transfers of consumer fireworks – penalty
- 70.77.517 Unlawful transportation of fireworks - penalty
- 70.77.520 Unlawful to permit fire nuisance where fireworks kept – penalty
- 70.77.540 Penalty
- 70.77.545 Violation a separate, continuing offense

**Section 2.** PMC 8.20.280 and Ordinance 97-33 Section 2 are hereby amended to be read as follows:

8.02.280 Violation - Penalty

A. Unless specifically designated otherwise, or is specified to be enforced pursuant to other law, including, but not limited to, other chapters or titles of this Code, any violation of this chapter is a misdemeanor.

B. Such penalty is in addition to any other remedies or penalties specifically provided by law. For each act herein prohibited of a continuing nature, each day shall be considered a separate offense.

C. Failure to respond or appear fees for Poulsbo Municipal Code violations in this chapter will be assessed a failure to respond or appear fee at the rate set in RCW 46.63.110(3) as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

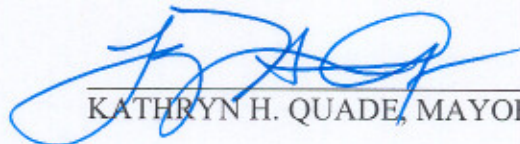
D. If a time pay agreement is requested a fee of not to exceed \$10 per charge or \$25 per payment plan may be imposed.

**Section 3. Severability**

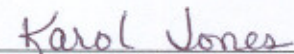
If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 4. Effective Date:** This ordinance shall take effect and be in full force five (5) days after the publication of the attached summary, which is hereby approved.

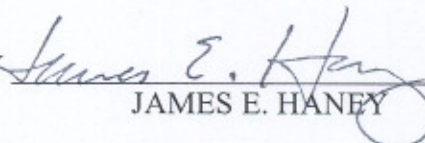
APPROVED:

  
KATHRYN H. QUADE, MAYOR

ATTEST/AUTHENTICATED:

  
CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JAMES E. HANEY

FILED WITH THE CITY CLERK: 9/24/2007  
PASSED BY THE CITY COUNCIL: 10/3/2007  
PUBLISHED: 10/20/2007  
EFFECTIVE DATE: 10/25/2007  
ORDINANCE NO. 2007-42

**SUMMARY OF ORDINANCE NO. 2007-42**

of the City of Poulsbo, Washington

On the 3<sup>rd</sup> day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-42. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO FIREWORKS; AMENDING 8.20.010 TO FIREWORKS – STATUTES ADOPTED BY REFERENCE; AND ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLE 70 OF THE REVISED CODE OF WASHINGTON IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND MISDEMEANORS AS CRIMINAL OFFENSES UNDER THE CITY'S MUNICIPAL CODE; AND UPDATING, 8.02.150 VIOLATION – PENALTY; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 5<sup>th</sup> day of October, 2007.

Karol Jones  
CITY CLERK KAROL JONES, CMC