

## POULSBO DISTRIBUTION SCHEDULE

**ORDINANCE NO. 2025-24**

**SUBJECT: Firework Ban**

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### CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 11/25/2025
- ☒ Passed by the City Council: 12/17/2025
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 12/22/2025
- ☒ Effective: 12/17/2026
- ☐ Recorded: \_\_\_\_\_

### DISTRIBUTED COPIES AS FOLLOWS:

- ☒ Kitsap Sun: 12/18/2025
- ☒ Code Publishing
- ☒ City Attorney
- ☒ Clerk's Department:
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
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- ☐ Scanned and Tossed: \_\_\_\_\_
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- ☐ \_\_\_\_\_

Kati Diehl  
Deputy City Clerk

12/18/2025  
Date

## **ORDINANCE NO. 2025-24**

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, RELATING TO THE TRANSFER, SALE, POSSESSION, USE OR DISCHARGE OF FIREWORKS; REPEALING AND REPLACING CHAPTER 8.20 OF THE POULSBO MUNICIPAL CODE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council is concerned about public safety and desires to protect the public from injuries and fires resulting from fireworks; and

**WHEREAS**, the City Council is concerned about the impacts of fireworks on the environment and desires to minimize such impacts; and

**WHEREAS**, the City sought an advisory vote ("Prop 1") as to whether the City Council should adopt an ordinance that bans fireworks and Prop 1 passed 64.42% YES to ban fireworks inside City limits; and

**WHEREAS**, state law, Chapter 70.77 RCW and Chapter 212-17 WAC, generally regulates the transfer, sale, possession, use, and discharge of fireworks within Washington State; and

**WHEREAS**, under Chapter 70.77 RCW, the City Council is authorized to adopt local fireworks ordinances that are more restrictive than state law, provided that such an ordinance does not take effect until at least one year after its adoption; and

**WHEREAS**, the City Council now desires to prohibit the transfer, sale, possession, use, and discharge of consumer fireworks within the City of Poulsbo;

**WHEREAS**, City staff have prepared code amendments to Poulsbo Municipal Code Chapter 8.20 to prohibit the transfer, sale, possession use or discharge of fireworks within City limits; and

**WHEREAS**, the Poulsbo City Council has determined that the proposed code are the best interest of the public health, safety and welfare, and therefore has determined to adopt this ordinance as set forth herein.

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

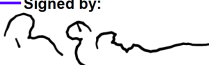
**Section 1.**    **Chapter 8.20 PMC Repealed and Replaced.** Chapter 8.20 of the Poulsbo Municipal Code is hereby repealed and replaced as shown on **Exhibit A**, which is attached hereto and made a part of hereof by this reference.

**Section 2.**    **Corrections.** Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

**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.

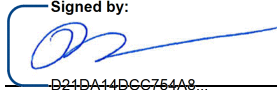
**Section 3.**    **Effective Date.** In accordance with RCW 70.77.250(4), this ordinance shall take effect and be in force one year from the date of its passage and publication as required by law.

APPROVED:

Signed by:  
  
12C4BDCB4DDD40B

MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

Signed by:  


D24DA14DCG764A8...  
CITY CLERK, RHIANNON FERNANDEZ

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

Signed by:  
  
BY  
833D0DC77F3647F...  
EMILY ROMANENKO

FILED WITH THE CITY CLERK: 11/25/2025  
PASSED BY THE CITY COUNCIL: 12/17/2025  
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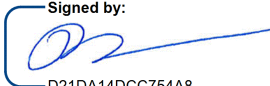
SUMMARY OF ORDINANCE NO. 2025-24  
of the City of Poulsbo, Washington

On the 17<sup>th</sup> day of December, 2025, the City Council of the City of Poulsbo, passed Ordinance No. 2025-24. 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 THE TRANSFER, SALE, POSSESSION, USE OR DISCHARGE OF FIREWORKS; REPEALING AND REPLACING CHAPTER 8.20 OF THE POULSBO MUNICIPAL CODE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 17<sup>th</sup> day of December 2025.

Signed by:  
  
D21DA14DCC754A8...  
CITY CLERK, RHANNON FERNANDEZ

## **Exhibit A**

### **Chapter 8.20 Fireworks**

#### **Sections:**

- 8.20.010 Fireworks—Statutes adopted by reference.**
- 8.20.020 Consumer Fireworks**
- 8.20.030 Display Fireworks**
- 8.20.040 Exceptions—Signals—Illumination.**
- 8.20.050 Out-of-state shipment.**
- 8.20.060 Special effects permitted.**
- 8.20.070 Possession prohibition.**
- 8.20.080 Extreme fire danger.**
- 8.20.090 Violation—Penalty.**
- 8.20.100 Violation—Separate offense for each day.**

#### **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 Definitions – “Fireworks”
- 70.77.131 Definitions – “Display fireworks”
- 70.77.136 Definitions – “Consumer fireworks”
- 70.77.146 Definitions – “Special effects”
- 70.77.160 Definitions – “Public display of fireworks”
- 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

### **8.20.020 Consumer Fireworks**

The transfer, sale, possession, use, or discharge of consumer fireworks is prohibited within the city.

### **8.20.030 Display Fireworks**

A. Except as allowed under this section, the transfer, sale, possession, use, or discharge of display fireworks is prohibited within the city.

B. Permit—Required. No person shall do any of the following acts in the city of Poulsbo without having first obtained and having in full force and effect a valid permit to do so:

1. Manufacture, import, possess or sell any fireworks, including agricultural and wildlife fireworks, at wholesale or retail; provided, however, that no permit is required for the possession or use of consumer fireworks lawfully purchased at retail;
2. Make a public display of fireworks; or
3. Transport fireworks, except as a permittee or as a public carrier delivering to a permittee.
  - i. Except as authorized by a permit issued under this chapter, no person may discharge display fireworks at any place.
  - ii. No person less than eighteen years of age may apply for or receive a permit under this chapter.

C. Permit application—Contents.

1. Any person desiring to do any act set forth in Section 8.20.040 shall first make written application for a permit to the fire chief. The application for a permit shall be signed by the applicant. If the application is made by a partnership, it shall be signed by each partner of the partnership, and if the application is made by a corporation, it shall be signed by an officer of the corporation and bear the seal of the corporation.
2. The application shall be in such form as the fire chief shall require and shall include, at a minimum, the following information:
  - i. The true name, address and telephone number of the applicant;
  - ii. A statement by the applicant that he or she is over the age of eighteen years of age;

- iii. A statement as to whether the applicant possesses a license issued by the Washington State Patrol, acting through the director of fire protection, to do the act for which the permit is sought, and the current status of the license;
- iv. The proposed location at which the applicant intends to perform the act for which the permit is sought;
- v. Such other information as the fire chief may require in order to make the investigation and report required by Section 8.20.070.

D. Permit application—Fee—Bond.

- 1. All applications for permits pursuant to this chapter shall be accompanied by a nonrefundable permit fee as set forth in Section 3.12.040(M). The city council finds that this charge is necessary to cover the legitimate administrative costs for permit processing and inspection.
- 2. The applicant shall post a cash bond pursuant to Section 3.12.040(M) which cash bond shall be conditioned upon the prompt removal of the temporary stand and the cleaning up of all debris from the site by the tenth day of July of each year for the Fourth of July holiday or the fifth day of January of the following year for the New Year's Eve celebration. Failure to remove the temporary stand and clean up all debris from the site within the required time frame shall cause the bond to be forfeited to the city of Poulsbo.

E. Permit application—Insurance. All applications for permits pursuant to this chapter shall be accompanied by a certificate of insurance coverage evidencing the carrying of a comprehensive liability insurance policy with the following minimum coverage limits:

- 1. For bodily injuries: Not less than five hundred thousand dollars per person and two million dollars per event; and
- 2. For property damage: Not less than five hundred thousand dollars per event.
- 3. The general liability policy required by this section shall name the city of Poulsbo as an additional insured, must be in full force and effect for the duration of the permit, and shall include a provision prohibiting cancellation of the policy without thirty days' written notice to the city. The policy shall be in a form approved by the city attorney.



F. Permit application—Filing time. Applications for public display of fireworks shall be made in writing at least ten days in advance of the proposed display.

G. Permit application—Investigation report. It shall be the duty of the fire chief to make an investigation and prepare a report of his findings and conclusions for or against the issuance of the permit, together with his reasons therefor. In the case of an application for a permit for a public display of fireworks, the fire chief shall, in addition to any other investigation, make an investigation as to whether such display as proposed will be of such a character and will be so located that it may be hazardous to property or dangerous to any person.

H. Permit—State-issued license required. No permit shall be issued unless the person applying therefore has first obtained and has in full force and effect a valid license issued by the State Fire Marshal, pursuant to Chapter 70.77 RCW, to do the particular act or acts for which the permit is sought.

I. Permit—Issuance decision. The fire chief shall have the power, based upon the findings of his investigation, to grant or deny any application for a permit, or to subject the same to such reasonable conditions, if any, as he shall prescribe.

J. Public display—Permit—Nontransferable.

1. If a permit for the public display of fireworks is granted, the sale, possession and use of fireworks for the public display is lawful for that purpose only.
2. No such permit granted shall be transferable.

K. Public display—Supervision. Every public display of fireworks shall be handled or supervised by a pyrotechnic operator approved by the fire chief.

#### **8.20.040 Exceptions—Signals—Illumination.**

This chapter does not prohibit the use of flares or fuses in connection with the operation of motor vehicles, railroads, or other transportation agencies for signal purposes or illumination or for use in forest protection activities.

#### **8.20.050 Out-of-state shipment.**

This chapter does not prohibit any manufacturer, wholesaler, dealer or jobber, having a license issued by the State Fire Marshal and a permit secured under the provisions of this chapter, from manufacturing or selling any kind of fireworks for direct shipment out of this state.

#### **8.20.060 Special effects permitted.**

This chapter does not prohibit the assembling, compounding, use and display of special effects of whatever nature by any person engaged in the production of motion pictures, radio, or television productions, theatricals or operas when such use and display is a necessary part of the production and such person possesses a valid permit issued by the city of Poulsbo to purchase, possess, transport or use such fireworks.

#### **8.20.070 Possession prohibition.**

The possession of any class or kind of fireworks in violation of the provisions of this chapter is prohibited; provided that it shall not be a violation of this chapter to transport fireworks through city limits so long as: (i) the fireworks were lawfully purchased outside of the city limits, as shown by a valid receipt designating the location of the purchase, and (ii) there is no intent to use or discharge the fireworks within city limits

#### **8.20.080 Extreme fire danger.**

During periods of extreme fire danger, as determined by the fire chief or the fire chief's designee, the fire chief or the fire chief's designee may prohibit the discharge of any or all fireworks within the city limits. At a minimum, the Kitsap County fire marshal's burn ban, based upon fuel moisture measurements, must be declared and in place prior to this determination.

#### **8.20.090 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 civil infraction.
- 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(4), as now enacted or hereinafter amended, which 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 ten dollars per charge or twenty-five dollars per payment plan may be imposed.

#### **8.20.100 Violation—Separate offense for each day.**

A person commits a separate offense for each day during which he commits, continues or permits a violation of any provision of this chapter.