

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Fire Chiefs Assn		6/24		6/26/92	Council (Special Meeting)
Division Head:					
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

**SUBJECT:**

Ordinance declaring an emergency and restricting discharge of fireworks to July 4

**ATTACHMENTS:**

- Emergency Ordinance
- Letter from Tom Fields to Council, dated 6/24/92
- Press release/notice to interested parties
- King County Ordinance 10431 (same subject)

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #: N/A	Should Clerk schedule a hearing? NO /XX/ YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

The Whatcom County Association of Fire Chiefs requested that the Council restrict the discharge of fireworks to July 4, 1992, due to the unusually dry conditions and potential fire hazard. Association President Tom Fields said in his letter dated June 24, 1992 that the request is somewhat controversial; there is a potential for economic impact to fireworks suppliers, and questions about the County's ability to enforce such an ordinance. However, the Association feels these concerns are outweighed by the potential for wildfires.

Doug McDonnal, hydrologist for the U.S. Weather Service in Seattle, said June 25 that precipitation in the Bellingham area is 92 percent of what it normally is. However, that figure is somewhat misleading, he said, adding that the concern for fire danger is a very legitimate one. For Western Washington the temperature since October 1 has been consistently five degrees above average temperatures, which is a "significant departure" from normal conditions, McDonnal said. The increased temperature caused a low snow pack, low stream flows, increased evaporation of moisture from the soil and from water reserves, and he estimated that the water tables in the area are probably lower than normal.

Because this is an emergency ordinance, five votes are needed before it can be adopted.

**ORIGINATOR'S RECOMMENDED ACTION:**

The Fire Chiefs recommend that the Council adopt the ordinance.

**COUNCIL ACTION TAKEN:**

6/26/92: Council adopted the ordinance. 5-0. (Two members absent-Vander Yacht & Imhof)

*Related File Numbers:*

*Ordinance or Resolution Number (this item only):*

SPONSORED BY: Warner

PROPOSED BY: Fire Chiefs Assn.

INTRODUCTION DATE: 6/26/92

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ORDINANCE NO. 92-037  
DECLARING AN EMERGENCY AND RESTRICTING  
DISCHARGE OF FIREWORKS TO JULY 4

WHEREAS, the Whatcom County Council finds that the low level of precipitation has created unusually dry conditions in the Whatcom County area; and

WHEREAS, the National Weather Service indicates that while precipitation for the Bellingham area is 92 percent of the normal levels, several factors make fire danger a very legitimate concern, including: Water supply being at an estimated 90-year low for the Western Washington region; temperatures since October that have been consistently five degrees higher than normal, contributing to a low snow pack, dry soil, and increased evaporation rate; and low stream flows, at levels typically experienced in mid-August; and

WHEREAS, the Whatcom County Association of Fire Chiefs urged the Council to enact an emergency ordinance that will restrict the discharge of all fireworks within the unincorporated areas of Whatcom County to July 4 in 1992; and

WHEREAS, the County Council and the County Executive believe passage of this emergency ordinance is necessary for the immediate preservation of the public peace, health or safety or support of the county government and its existing institutions; and

WHEREAS, as an emergency ordinance this document will expire as of the 61st day following the date on which the ordinance becomes law, pursuant to Whatcom County Home Rule Charter Section 2.40;

1           NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council,  
2 with the support of the Whatcom County Executive, hereby restricts the discharge of  
3 fireworks within unincorporated Whatcom County to July 4 from 9 a.m. to midnight, such  
4 restriction to be in effect for the duration of this ordinance; and  
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7           BE IT FURTHER ORDAINED that violation of this ordinance shall be a  
8 misdemeanor punishable by a fine of \$1,000, 90 days in jail, or both; costs associated  
9 with fire suppression, equipment, and staffing shall be recoverable by the agencies  
10 incurring expenses, including fire, law enforcement, medic one; and  
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13           BE IT FURTHER ORDAINED if the weather changes so that the fire danger no  
14 longer exists, enforcement of this ordinance may be suspended by Executive Order; and  
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17           BE IT FURTHER ORDAINED that passage of this emergency ordinance is  
18 necessary for the immediate preservation of the public peace, health or safety or support  
19 of the county government and its existing institutions; and  
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22           BE IF FINALLY ORDAINED that this emergency ordinance shall take effect  
23 immediately when adopted by a two-thirds vote of the Council and upon approval by the  
24 County Executive, pursuant to Whatcom County Home Rule Charter Section 2.40.  
25

26           ADOPTED this 26th day of June, 1992.  
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