
HOUSE BILL 2348

State of Washington

64th Legislature

2016 Regular Session

By Representatives Hawkins, Gregerson, Kilduff, Peterson, Dent, Johnson, Wylie, Haler, Manweller, Dye, Riccelli, Magendanz, Harris, Ortiz-Self, Fey, Klippert, Orwall, Nealey, Kuderer, Muri, Appleton, Smith, Reykdal, Zeiger, Ormsby, Robinson, McCabe, Stanford, Walsh, Hayes, Blake, S. Hunt, Van De Wege, McBride, Rodne, Kochmar, Stambaugh, Hudgins, Moeller, and Tharinger

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1 AN ACT Relating to providing local governments with flexibility
2 regarding local fireworks ordinances; amending RCW 70.77.250;
3 creating a new section; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that preventing
6 fires is essential to protecting personal safety, homes, farms, and
7 other property, maintaining Washington communities, preserving
8 wildlife and wildlife habitat, and defending water quality from fire-
9 triggered landslides and sediment. The legislature also finds that
10 communities need to be able to respond promptly to fire risks in
11 order to prevent fires, particularly during hot, dry weather in the
12 summer months. It is the intent of the legislature to provide
13 communities and local officials with more flexibility to promptly and
14 efficiently respond to fire risk conditions.

15 **Sec. 2.** RCW 70.77.250 and 2002 c 370 s 19 are each amended to
16 read as follows:

17 (1) The chief of the Washington state patrol, through the
18 director of fire protection, shall enforce and administer this
19 chapter.

1 (2) The chief of the Washington state patrol, through the
2 director of fire protection, shall appoint such deputies and
3 employees as may be necessary and required to carry out the
4 provisions of this chapter.

5 (3) The chief of the Washington state patrol, through the
6 director of fire protection, shall adopt those rules relating to
7 fireworks as are necessary for the implementation of this chapter.

8 (4) The chief of the Washington state patrol, through the
9 director of fire protection, shall adopt those rules as are necessary
10 to ensure statewide minimum standards for the enforcement of this
11 chapter. ~~Counties and cities ((shall comply with these state rules.~~
12 ~~Any ordinances adopted by a county or city that are more restrictive~~
13 ~~than state law shall have an effective date no sooner than one year~~
14 ~~after their adoption)) may adopt ordinances relating to fireworks~~
15 ~~that are more restrictive than the statewide minimum standards~~
16 ~~established in this chapter and the rules adopted by the chief of the~~
17 ~~Washington state patrol, through the director of fire protection,~~
18 ~~including limiting or prohibiting the sale, purchase, possession, or~~
19 ~~use of consumer fireworks.~~

20 (5) The chief of the Washington state patrol, through the
21 director of fire protection, may exercise the necessary police powers
22 to enforce the criminal provisions of this chapter. This grant of
23 police powers does not prevent any other state agency and city,
24 county, or local government agency having general law enforcement
25 powers from enforcing this chapter within the jurisdiction of the
26 agency and city, county, or local government.

27 (6) The chief of the Washington state patrol, through the
28 director of fire protection, shall adopt rules necessary to enforce
29 the civil penalty provisions for the violations of this chapter. A
30 civil penalty under this subsection may not exceed one thousand
31 dollars per day for each violation and is subject to the procedural
32 requirements under RCW 70.77.252.

33 (7) The chief of the Washington state patrol, through the
34 director of fire protection, may investigate or cause to be
35 investigated all fires resulting, or suspected of resulting, from the
36 use of fireworks.

37 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
38 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect immediately.

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