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SENATE BILL 5523

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State of Washington

56th Legislature

1999 Regular Session

By Senators Prentice, Costa, Heavey and Gardner

Read first time 01/26/1999. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

1 AN ACT Relating to fireworks; amending RCW 70.77.270; providing an  
2 effective date; and declaring an emergency.

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

4 **Sec. 1.** RCW 70.77.270 and 1997 c 182 s 8 are each amended to read  
5 as follows:

6 (1) The governing body of a city or county, or a designee, shall  
7 grant an application for a permit under RCW 70.77.260(1) if the  
8 application meets the standards under this chapter, and the applicable  
9 ordinances of the city or county. The permit shall be granted by June  
10 10, or no less than thirty days after receipt of an application  
11 whichever date occurs first, for sales commencing on June 28 and on  
12 December 27; or by December 10, or no less than thirty days after  
13 receipt of an application whichever date occurs first, for sales  
14 commencing only on December 27.

15 (2) The chief of the Washington state patrol, through the director  
16 of fire protection, shall prescribe ((uniform)) minimum, state-wide  
17 standards for retail fireworks stands including, but not limited to,  
18 the location of the stands, setback requirements and siting of the  
19 stands, types of buildings and construction material that may be used

1 for the stands, use of the stands and areas around the stands, cleanup  
2 of the area around the stands, transportation of fireworks to and from  
3 the stands, and temporary storage of fireworks associated with the  
4 retail fireworks stands. However, tents, canopies, and temporary  
5 membrane materials may not be used for temporary fireworks stands, and  
6 customers may not be permitted in a temporary or permanent fireworks  
7 stand. All cities and counties which allow retail fireworks sales  
8 shall comply with these standards.

9 (3) No retail fireworks permit may be issued to any applicant  
10 unless the retail fireworks stand is covered by a liability insurance  
11 policy with coverage of not less than fifty thousand dollars and five  
12 hundred thousand dollars for bodily injury liability for each person  
13 and occurrence, respectively, and not less than fifty thousand dollars  
14 for property damage liability for each occurrence, unless such  
15 insurance is not readily available from at least three approved  
16 insurance companies. If insurance in this amount is not offered, each  
17 fireworks permit shall be covered by a liability insurance policy in  
18 the maximum amount offered by at least three different approved  
19 insurance companies.

20 No wholesaler may knowingly sell or supply fireworks to any retail  
21 fireworks stand unless the wholesaler determines that the retail  
22 fireworks stand is covered by liability insurance in the same amount as  
23 provided in this subsection.

24 NEW SECTION. **Sec. 2.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 June 1, 1999.

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