

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5970

55th Legislature
1997 Regular Session

Passed by the Senate March 17, 1997
YEAS 32 NAYS 14

President of the Senate

Passed by the House April 10, 1997
YEAS 75 NAYS 23

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5970** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5970

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senate Committee on Commerce & Labor (originally sponsored by Senators Schow, Horn, Bauer, Heavey, Franklin and Anderson)

Read first time 03/05/97.

1 AN ACT Relating to expanding days of sale while not changing days
2 of use of common fireworks and clarifying other provisions of the
3 existing state fireworks law; amending RCW 70.77.160, 70.77.170,
4 70.77.180, 70.77.236, 70.77.255, 70.77.270, 70.77.290, 70.77.325,
5 70.77.343, 70.77.345, 70.77.355, 70.77.360, 70.77.375, 70.77.395,
6 70.77.420, 70.77.425, 70.77.435, 70.77.440, 70.77.450, and 70.77.555;
7 reenacting and amending RCW 70.77.250; reenacting RCW 70.77.315 and
8 70.77.455; adding a new section to chapter 70.77 RCW; repealing 1995 c
9 369 s 56; prescribing penalties; and declaring an emergency.

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

11 **Sec. 1.** RCW 70.77.160 and 1982 c 230 s 6 are each amended to read
12 as follows:

13 "Public display of fireworks" means an entertainment feature where
14 the public is admitted or (~~permitted~~) allowed to view the display or
15 discharge of special fireworks.

16 **Sec. 2.** RCW 70.77.170 and 1995 c 369 s 44 are each amended to read
17 as follows:

1 "License" means a (~~nontransferable~~) transferable formal
2 authorization which the chief of the Washington state patrol and the
3 director of fire protection are (~~permitted~~) authorized to issue under
4 this chapter to engage in the act specifically designated therein.

5 **Sec. 3.** RCW 70.77.180 and 1995 c 61 s 9 are each amended to read
6 as follows:

7 "Permit" means the official (~~permission~~) transferable
8 authorization granted by a (~~local public agency~~) city or county for
9 the purpose of establishing and maintaining a place within the
10 jurisdiction of the (~~local agency~~) city or county where fireworks are
11 manufactured, constructed, produced, packaged, stored, sold, or
12 exchanged and the official (~~permission~~) authorization granted by a
13 (~~local agency~~) city or county for a public display of fireworks.

14 **Sec. 4.** RCW 70.77.236 and 1995 c 61 s 6 are each amended to read
15 as follows:

16 (1) "New fireworks item" means any fireworks initially classified
17 or reclassified as special or common fireworks by the United States
18 bureau of explosives or in the regulations of the United States
19 department of transportation after April 17, 1995.

20 (2) The (~~director of community, trade, and economic development~~)
21 chief of the Washington state patrol through the director of fire
22 protection shall classify any new fireworks item in the same manner as
23 the item is classified by the United States bureau of explosives or in
24 the regulations of the United States department of transportation,
25 unless the (~~director of community, trade, and economic development~~)
26 chief of the Washington state patrol through the director of fire
27 protection determines, stating reasonable grounds, that the item should
28 not be so classified.

29 **Sec. 5.** RCW 70.77.250 and 1995 c 369 s 45 and 1995 c 61 s 12 are
30 each reenacted and amended to read as follows:

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

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

1 (3) The chief of the Washington state patrol, through the director
2 of fire protection, (~~may prescribe such~~) shall adopt those rules
3 relating to fireworks as (~~may be~~) are necessary for the
4 implementation of this chapter.

5 (4) The chief of the Washington state patrol, through the director
6 of fire protection, shall (~~prescribe such~~) adopt those rules as (~~may~~
7 ~~be~~) are necessary to ensure state-wide minimum standards for the
8 enforcement of this chapter. Counties, cities, and towns shall comply
9 with (~~such~~) these state rules. Any local rules adopted by local
10 authorities that are more restrictive than state law shall have an
11 effective date no sooner than one year after their adoption.

12 (5) The chief of the Washington state patrol, through the director
13 of fire protection, may exercise the necessary police powers to enforce
14 the criminal provisions of this chapter. This grant of police powers
15 does not prevent any other state agency or local government agency
16 having general law enforcement powers from enforcing this chapter
17 within the jurisdiction of the agency or local government.

18 **Sec. 6.** RCW 70.77.255 and 1995 c 61 s 13 are each amended to read
19 as follows:

20 (1) Except as otherwise provided in this chapter, no person,
21 without (~~an~~) appropriate state (~~license or permit~~) licenses and
22 city or county permits as required by this chapter may:

23 (a) Manufacture, import, possess, or sell any fireworks at
24 wholesale or retail for any use;

25 (b) Make a public display of fireworks; (~~or~~)

26 (c) Transport fireworks, except as a public carrier delivering to
27 a licensee; or

28 (d) Knowingly manufacture, import, transport, store, sell, or
29 possess with intent to sell, as fireworks, explosives, as defined under
30 RCW 70.74.010, that are not fireworks, as defined under this chapter.

31 (2) Except as authorized by a license and permit under subsection
32 (1)(b) of this section or as provided in RCW 70.77.311, no person may
33 discharge special fireworks at any place.

34 (3) No person less than eighteen years of age may apply for or
35 receive a license or permit under this chapter.

36 (4) No license or permit is required for the possession or use of
37 common fireworks lawfully purchased at retail.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 70.77 RCW
2 to read as follows:

3 (1) A violation of RCW 70.77.255(1)(d) is a gross misdemeanor
4 punishable by not less than thirty days in jail and a fine of not less
5 than five thousand dollars.

6 (2) The minimum sentences required under subsection (1) of this
7 section may not be suspended or deferred.

8 **Sec. 8.** RCW 70.77.270 and 1995 c 61 s 14 are each amended to read
9 as follows:

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

19 (2) The (~~director of community, trade, and economic development~~)
20 chief of the Washington state patrol, through the director of fire
21 protection, shall prescribe uniform, state-wide standards for retail
22 fireworks stands including, but not limited to, the location of the
23 stands, setback requirements and siting of the stands, types of
24 buildings and construction material that may be used for the stands,
25 use of the stands and areas around the stands, cleanup of the area
26 around the stands, transportation of fireworks to and from the stands,
27 and temporary storage of fireworks associated with the retail fireworks
28 stands. All cities and counties which allow retail fireworks sales
29 shall comply with these standards.

30 (3) No retail fireworks permit may be issued to any applicant
31 unless the retail fireworks stand is covered by a liability insurance
32 policy with coverage of not less than fifty thousand dollars and five
33 hundred thousand dollars for bodily injury liability for each person
34 and occurrence, respectively, and not less than fifty thousand dollars
35 for property damage liability for each occurrence, unless such
36 insurance is not readily available from at least three approved
37 insurance companies. If insurance in this amount is not offered, each
38 fireworks permit shall be covered by a liability insurance policy in

1 the maximum amount offered by at least three different approved
2 insurance companies.

3 No wholesaler may knowingly sell or supply fireworks to any retail
4 fireworks stand unless the wholesaler determines that the retail
5 fireworks stand is covered by liability insurance in the same amount as
6 provided in this subsection.

7 **Sec. 9.** RCW 70.77.290 and 1984 c 249 s 16 are each amended to read
8 as follows:

9 If a permit under RCW 70.77.260(2) for the public display of
10 fireworks is granted, the sale, possession and use of fireworks for the
11 public display is lawful for that purpose only. (~~The permit granted
12 is not transferable.~~)

13 **Sec. 10.** RCW 70.77.315 and 1995 c 61 s 18 and 1995 c 369 s 47 are
14 each reenacted to read as follows:

15 Any person who desires to engage in the manufacture, importation,
16 sale, or use of fireworks, except use as provided in RCW 70.77.255(4)
17 and 70.77.311, shall make a written application to the chief of the
18 Washington state patrol, through the director of fire protection, on
19 forms provided by him or her. Such application shall be accompanied by
20 the annual license fee as prescribed in this chapter.

21 **Sec. 11.** RCW 70.77.325 and 1994 c 133 s 8 are each amended to read
22 as follows:

23 (1) An application for a license shall be made annually by every
24 person holding an existing license who wishes to continue the activity
25 requiring the license during an additional (~~calendar~~) year. The
26 application shall be accompanied by the annual license fees as
27 prescribed in RCW 70.77.343 and 70.77.340.

28 (2) A person applying for an annual license as a retailer under
29 this chapter shall file an application (~~by June 10 of the current
30 year~~) no later than May 1 for annual sales commencing on June 28 and
31 on December 27, or no later than November 1 for sales commencing only
32 on December 27. The (~~director of community, trade, and economic
33 development~~) chief of the Washington state patrol, through the
34 director of fire protection, shall grant or deny the license within
35 fifteen days of receipt of the application.

1 (3) A person applying for an annual license as a manufacturer,
2 importer, or wholesaler under this chapter shall file an application by
3 January 31 of the current year. The (~~director of community, trade,~~
4 ~~and economic development~~) chief of the Washington state patrol,
5 through the director of fire protection, shall grant or deny the
6 license within ninety days of receipt of the application.

7 **Sec. 12.** RCW 70.77.343 and 1995 c 61 s 19 are each amended to read
8 as follows:

9 (1) License fees, in addition to the fees in RCW 70.77.340, shall
10 be charged as follows:

11	Manufacturer	\$	1,500.00
12	Importer		900.00
13	Wholesaler		1,000.00
14	Retailer (for each separate outlet)		30.00
15	Public display for special fireworks		40.00
16	Pyrotechnic operator for special fireworks		5.00

17 (2) All receipts from the license fees in this section shall be
18 placed in the fire services trust fund and at least seventy-five
19 percent of these receipts shall be used to fund a state-wide public
20 education campaign developed by the (~~department~~) chief of the
21 Washington state patrol and the licensed fireworks industry emphasizing
22 the safe and responsible use of legal fireworks and the remaining
23 receipts shall be used to fund state-wide enforcement efforts against
24 the sale and use of fireworks that are illegal under this chapter.

25 **Sec. 13.** RCW 70.77.345 and 1995 c 61 s 20 are each amended to read
26 as follows:

27 Every license and every retail fireworks sales permit issued shall
28 be for the (~~calendar year~~) period from January 1st (~~to December 31st~~
29 ~~or for~~) of the year for which the application is made through January
30 31st of the subsequent year, or the remaining portion thereof (~~of the~~
31 ~~calendar year for which the license application is made~~)).

32 **Sec. 14.** RCW 70.77.355 and 1994 c 133 s 9 are each amended to read
33 as follows:

34 (1) Any adult person may secure a general license from the
35 (~~director of community, trade, and economic development~~) chief of the

1 Washington state patrol, through the director of fire protection, for
2 the public display of fireworks within the state of Washington. A
3 general license is subject to the provisions of this chapter relative
4 to the securing of local permits for the public display of fireworks in
5 any city or county, except that in lieu of filing the bond or
6 certificate of public liability insurance with the appropriate local
7 official under RCW 70.77.260 as required in RCW 70.77.285, the same
8 bond or certificate shall be filed with the (~~director of community,~~
9 ~~trade, and economic development~~) chief of the Washington state patrol,
10 through the director of fire protection. The bond or certificate of
11 insurance for a general license in addition shall provide that: (a)
12 The insurer will not cancel the insured's coverage without fifteen days
13 prior written notice to the (~~director of community, trade, and~~
14 ~~economic development~~) chief of the Washington state patrol, through
15 the director of fire protection; (b) the duly licensed pyrotechnic
16 operator required by law to supervise and discharge the public display,
17 acting either as an employee of the insured or as an independent
18 contractor and the state of Washington, its officers, agents,
19 employees, and servants are included as additional insureds, but only
20 insofar as any operations under contract are concerned; and (c) the
21 state is not responsible for any premium or assessments on the policy.

22 (2) The (~~director of community, trade, and economic development~~)
23 chief of the Washington state patrol, through the director of fire
24 protection, may issue such general licenses. The holder of a general
25 license shall file a certificate from the (~~director of community,~~
26 ~~trade, and economic development~~) chief of the Washington state patrol,
27 through the director of fire protection, evidencing the license with
28 any application for a local permit for the public display of fireworks
29 under RCW 70.77.260.

30 **Sec. 15.** RCW 70.77.360 and 1995 c 369 s 49 are each amended to
31 read as follows:

32 If the chief of the Washington state patrol, through the director
33 of fire protection, finds that an application for any license, or any
34 transfer of a license, under this chapter contains a material
35 misrepresentation or that the granting of any license would be contrary
36 to the public safety or welfare, the chief of the Washington state
37 patrol, through the director of fire protection, may deny the
38 application for, or the transfer of, the license.

1 **Sec. 16.** RCW 70.77.375 and 1995 c 61 s 21 are each amended to read
2 as follows:

3 The chief of the Washington state patrol, through the director of
4 fire protection, upon reasonable opportunity to be heard, may revoke
5 any license issued pursuant to this chapter, if he or she finds that:

6 (1) The licensee has violated any provisions of this chapter or any
7 rule (~~(or regulations)~~) made by the chief of the Washington state
8 patrol, through the director of fire protection, under and with the
9 authority of this chapter;

10 (2) The licensee has created or caused a fire nuisance;

11 (3) Any licensee has failed or refused to file any required
12 reports; or

13 (4) Any fact or condition exists which, if it had existed at the
14 time of the original application for such license, reasonably would
15 have warranted the chief of the Washington state patrol, through the
16 director of fire protection, in refusing originally to issue such
17 license.

18 **Sec. 17.** RCW 70.77.395 and 1995 c 61 s 22 are each amended to read
19 as follows:

20 (1) It is legal to sell(~~(,)~~) and purchase(~~(, use, and discharge)~~)
21 common fireworks within this state from (~~(twelve)~~) nine o'clock
22 (~~(noon)~~) a.m. on the twenty-eighth of June to twelve o'clock noon on
23 the sixth of July of each year, from nine o'clock a.m. on the twenty-
24 seventh of December to eleven o'clock p.m. on the thirty-first of
25 December of each year and as provided in RCW 70.77.311. (~~(However,~~
26 ~~no)~~)

27 (2) Common fireworks may be (~~(sold)~~) used or discharged each day
28 between the hours of nine o'clock a.m. and eleven o'clock p.m. (~~(and~~
29 nine o'clock a.m.) on the twenty-eighth of June to the sixth of July,
30 (~~(except)~~) and on July 4th (~~(from)~~) between the hours of nine o'clock
31 a.m. (~~(through)~~) and twelve o'clock midnight, and (~~(except)~~) from six
32 o'clock p.m. on December 31st until one o'clock a.m. on January 1st of
33 the subsequent year and as provided in RCW 70.77.311: PROVIDED, That
34 a city or county may prohibit the sale or discharge of common fireworks
35 on December 31, 1995, by enacting an ordinance prohibiting such sale or
36 discharge within sixty days of April 17, 1995.

1 **Sec. 18.** RCW 70.77.420 and 1984 c 249 s 26 are each amended to
2 read as follows:

3 (1) It is unlawful for any person to store fireworks of any class
4 without a permit for such storage from the (~~local fire official in the~~
5 ~~jurisdiction~~) city or county in which the storage is to be made. A
6 person proposing to store fireworks shall apply in writing to a (~~local~~
7 ~~fire official~~) city or county at least ten days prior to the date of
8 the proposed storage. The (~~official~~) city or county receiving the
9 application for a storage permit shall investigate whether the
10 character and location of the storage as proposed would constitute a
11 hazard to property or be dangerous to any person. Based on the
12 investigation, the (~~official~~) city or county may grant or deny the
13 application. The (~~official~~) city or county may place reasonable
14 conditions on any permit granted.

15 (2) For the purposes of this section the temporary storing or
16 keeping of common fireworks when in conjunction with a valid retail
17 sales license and permit shall comply with RCW 70.77.425 and the
18 standards adopted under RCW 70.77.270(2) and not this section.

19 **Sec. 19.** RCW 70.77.425 and 1984 c 249 s 27 are each amended to
20 read as follows:

21 It is unlawful for any person to store (~~unsold~~) stocks of
22 fireworks remaining unsold after the lawful period of sale as provided
23 in the person's permit except in such places of storage as the (~~local~~
24 ~~fire official~~) city or county issuing the permit approves. Unsold
25 stocks of common fireworks remaining after the authorized retail sales
26 period from (~~twelve~~) nine o'clock (~~noon~~) a.m. on June 28th to
27 twelve o'clock noon on July 6th shall be returned on or before July
28 31st of the same year, or remaining after the authorized retail sales
29 period from nine o'clock a.m. on December 27th to eleven o'clock p.m.
30 on December 31st shall be returned on or before January 10th of the
31 subsequent year to the approved storage facilities of a licensed
32 fireworks wholesaler, to a magazine or storage place approved by a
33 local fire official.

34 **Sec. 20.** RCW 70.77.435 and 1995 c 61 s 23 are each amended to read
35 as follows:

36 Any fireworks which are illegally sold, offered for sale, used,
37 discharged, possessed or transported in violation of the provisions of

1 this chapter or the rules or regulations of the (~~director of~~
2 ~~community, trade, and economic development~~) chief of the Washington
3 state patrol, through the director of fire protection, shall be subject
4 to seizure by the (~~director of community, trade, and economic~~
5 ~~development~~) chief of the Washington state patrol, through the
6 director of fire protection, or his or her deputy, or by state agencies
7 or local governments having general law enforcement authority. Any
8 fireworks seized by legal process anywhere in the state may be disposed
9 of by the (~~director of community, trade, and economic development~~)
10 chief of the Washington state patrol, through the director of fire
11 protection, or the agency conducting the seizure, by summary
12 destruction at any time subsequent to thirty days from such seizure or
13 ten days from the final termination of proceedings under the provisions
14 of RCW 70.77.440, whichever is later.

15 **Sec. 21.** RCW 70.77.440 and 1995 c 61 s 24 are each amended to read
16 as follows:

17 (1) In the event of seizure under RCW 70.77.435, proceedings for
18 forfeiture shall be deemed commenced by the seizure. The (~~director of~~
19 ~~community, trade, and economic development or deputy director of~~
20 ~~community, trade, and economic development~~) chief of the Washington
21 state patrol or a designee, through the director of fire protection or
22 the agency conducting the seizure, under whose authority the seizure
23 was made shall cause notice to be served within fifteen days following
24 the seizure on the owner of the fireworks seized and the person in
25 charge thereof and any person having any known right or interest
26 therein, of the seizure and intended forfeiture of the seized property.
27 The notice may be served by any method authorized by law or court rule
28 including but not limited to service by certified mail with return
29 receipt requested. Service by mail shall be deemed complete upon
30 mailing within the fifteen-day period following the seizure.

31 (2) If no person notifies the (~~director of community, trade, and~~
32 ~~economic development~~) chief of the Washington state patrol, through
33 the director of fire protection or the agency conducting the seizure,
34 in writing of the person's claim of lawful ownership or right to lawful
35 possession of seized fireworks within thirty days of the seizure, the
36 seized fireworks shall be deemed forfeited.

37 (3) If any person notifies the (~~director of community, trade, and~~
38 ~~economic development~~) chief of the Washington state patrol, through

1 the director of fire protection or the agency conducting the seizure,
2 in writing of the person's claim of lawful ownership or possession of
3 the fireworks within thirty days of the seizure, the person or persons
4 shall be afforded a reasonable opportunity to be heard as to the claim
5 or right. The hearing shall be before an administrative law judge
6 appointed under chapter 34.12 RCW, except that any person asserting a
7 claim or right may remove the matter to a court of competent
8 jurisdiction if the aggregate value of the seized fireworks is more
9 than five hundred dollars. The hearing before an administrative law
10 judge and any appeal therefrom shall be under Title 34 RCW. In a court
11 hearing between two or more claimants to the article or articles
12 involved, the prevailing party shall be entitled to a judgment for
13 costs and reasonable attorneys' fees. The burden of producing evidence
14 shall be upon the person claiming to have the lawful right to
15 possession of the seized fireworks. The (~~director of community,~~
16 ~~trade, and economic development~~) chief of the Washington state patrol,
17 through the director of fire protection or the agency conducting the
18 seizure, shall promptly return the fireworks to the claimant upon a
19 determination by the administrative law judge or court that the
20 claimant is lawfully entitled to possession of the fireworks.

21 (4) When fireworks are forfeited under this chapter the (~~director~~
22 ~~of community, trade, and economic development~~) chief of the Washington
23 state patrol, through the director of fire protection or the agency
24 conducting the seizure, may:

- 25 (a) Dispose of the fireworks by summary destruction; or
26 (b) Sell the forfeited fireworks and chemicals used to make
27 fireworks, that are legal for use and possession under this chapter, to
28 wholesalers or manufacturers, authorized to possess and use such
29 fireworks or chemicals under a license issued by the (~~director of~~
30 ~~community, trade, and economic development~~) chief of the Washington
31 state patrol, through the director of fire protection. Sale shall be
32 by public auction after publishing a notice of the date, place, and
33 time of the auction in a newspaper of general circulation in the county
34 in which the auction is to be held, at least three days before the date
35 of the auction. The proceeds of the sale of the seized fireworks under
36 this section may be retained by the agency conducting the seizure and
37 used to offset the costs of seizure and/or storage costs of the seized
38 fireworks. The remaining proceeds, if any, shall be deposited in the

1 fire services trust fund and shall be used for the same purposes and in
2 the same percentages as specified in RCW 70.77.343.

3 **Sec. 22.** RCW 70.77.450 and 1994 c 133 s 13 are each amended to
4 read as follows:

5 The (~~director of community, trade, and economic development~~)
6 chief of the Washington state patrol, through the director of fire
7 protection, may make an examination of the books and records of any
8 licensee, or other person relative to fireworks, and may visit and
9 inspect the premises of any licensee he may deem at any time necessary
10 for the purpose of enforcing the provisions of this chapter. The
11 licensee, owner, lessee, manager, or operator of any such building or
12 premises shall permit the (~~director of community, trade, and economic
13 development~~) chief of the Washington state patrol, through the
14 director of fire protection, his or her deputies or salaried
15 assistants, the local fire official, and their authorized
16 representatives to enter and inspect the premises at the time and for
17 the purpose stated in this section.

18 **Sec. 23.** RCW 70.77.455 and 1995 c 61 s 25 and 1995 c 369 s 54 are
19 each reenacted to read as follows:

20 (1) All licensees shall maintain and make available to the chief of
21 the Washington state patrol, through the director of fire protection,
22 full and complete records showing all production, imports, exports,
23 purchases, and sales of fireworks items by class.

24 (2) All records obtained and all reports produced, as required by
25 this chapter, are not subject to disclosure through the public
26 disclosure act under chapter 42.17 RCW.

27 **Sec. 24.** RCW 70.77.555 and 1995 c 61 s 26 are each amended to read
28 as follows:

29 (1) A (~~local public~~) city or county agency may provide by
30 ordinance for a fee for retail sales in an amount sufficient to cover
31 all legitimate costs for all needed permits and local licenses from
32 application to and through processing, issuance, and inspection, but in
33 no case to exceed a total of one hundred dollars for any one year for
34 initial permitting and a maximum of ten dollars for any one year for
35 any change in permit holder or location of the retail fireworks stand.

1 Even though business, environmental impact, inspection, and all
2 other required costs, fees, local licenses, and permits are not
3 directly related to fireworks permits, fees, costs, and local licenses
4 on their face; when these fees, costs, local licenses, and permits are
5 necessary to the use and operation of the fireworks permits and local
6 licenses such as, but not limited to, business, environmental impact,
7 and inspection; they are included as part and parcel of the annual
8 maximum fees, under subsection (1) of this section, that cover costs
9 for the fireworks permits and local licenses.

10 (2) A city or county may provide by ordinance for a fee for public
11 display permits as required by RCW 70.77.255(1)(b) not to exceed one
12 hundred dollars for any one permit.

13 (3) Any special event fees required by a city or county in
14 connection with a fireworks display that requires traffic or crowd
15 control in a public place shall not be subject to the limitation
16 provided in subsection (2) of this section.

17 NEW SECTION. Sec. 25. 1995 c 369 s 56 is repealed.

18 NEW SECTION. Sec. 26. If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. Sec. 27. This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and takes effect
25 immediately.

--- END ---