

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
Mark McCauley, County Administrator

FROM: Phil Cecere, Fire Marshal
Brian Tracer, Deputy Fire Marshal

DATE: May 5, 2025

RE: **WORKSHOP** re: Fireworks and Possible Regulation Models

STATEMENT OF ISSUE:

Fireworks continue to be a polarizing issue throughout Jefferson County. The Jefferson County Board of Commissioners commented in a recent unrelated workshop that they wanted a workshop with the Fire Marshal to discuss the potential regulation of fireworks.

ANALYSIS:

A multitude of fireworks regulation options are available for discussion. The Jefferson County Fire Marshal requests a workshop to discuss these options and determine which options the board would like to entertain. This workshop will likely be the first in a series. As the conversation evolves and options are narrowed down, other partners will be invited to future workshops on this topic.

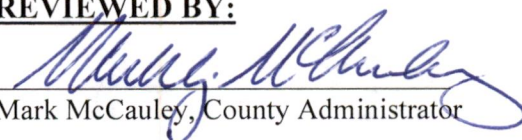
FISCAL IMPACT:

There is no fiscal impact to Jefferson County.

RECOMMENDATION:

Participate in the discussion and give direction regarding fireworks regulations.

REVIEWED BY:


Mark McCauley, County Administrator

4/16/25
Date

The background of the slide features a large, faded Maltese cross, a common symbol for fire departments. In the center of the cross is the official seal of the Jefferson County Fire Marshal. The seal is circular with a white background and a blue border. Inside the circle, there is a silhouette of a mountain range. The words "JEFFERSON COUNTY" are written in a semi-circle at the top, and "FIRE MARSHAL" is written in a semi-circle at the bottom.

FIREWORKS REGULATIONS 2025

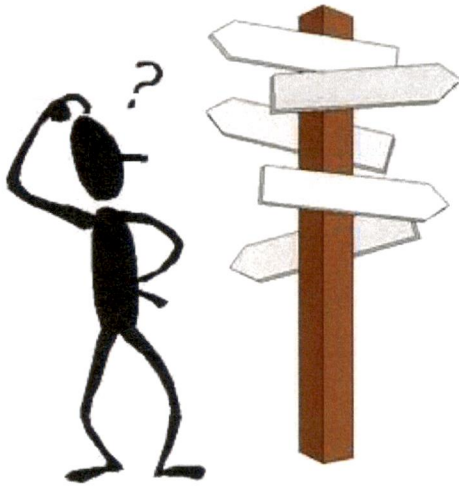
Workshop with the Jefferson Board Of County Commissioners

Presented 5 May 2025 by:

Phil Cecere, Jefferson County Fire Marshal

Brian Tracer, Jefferson County Deputy Fire Marshal

DISCUSSION FOR TODAY:



So.... Where are we?

- Brief Review of State Law, and County Ordinance as they relate to Fireworks in Jefferson County.

And....Where do we want to go?

- We hope to gain guidance from the Board and establish a direction to research potential pathways and report back in a series of discussions. Over the course of this workshop series we plan on conversations with interested parties from the fire protection districts, County Sheriff and members of the public.





RCW 70.77.395: Dates and times consumer fireworks may be sold or discharged—Local governments may limit, prohibit sale or discharge of fireworks.

(1) It is legal to sell and purchase consumer fireworks within this state from twelve o'clock noon to eleven o'clock p.m. on the twenty-eighth of June, from nine o'clock a.m. to eleven o'clock p.m. on each day from the twenty-ninth of June through the fourth of July, from nine o'clock a.m. to nine o'clock p.m. on the fifth of July, from twelve o'clock noon to eleven o'clock p.m. on each day from the twenty-seventh of December through the thirty-first of December of each year, and as provided in RCW 70.77.311.

(2) Consumer fireworks may be used or discharged each day between the hours of twelve o'clock noon and eleven o'clock p.m. on the twenty-eighth of June and between the hours of nine o'clock a.m. and eleven o'clock p.m. on the twenty-ninth of June to the third of July, and on July 4th between the hours of nine o'clock a.m. and twelve o'clock midnight, and between the hours of nine o'clock a.m. and eleven o'clock p.m. on July 5th, and from six o'clock p.m. on December 31st until one o'clock a.m. on January 1st of the subsequent year, and as provided in RCW 70.77.311.

(3) A city or county may enact an ordinance within sixty days of June 13, 2002, to limit or prohibit the sale, purchase, possession, or use of consumer fireworks on December 27, 2002, through December 31, 2002, and thereafter as provided in RCW 70.77.250(4).



New Ordinance—Key Provisions



8.75.035 Publication of Declaration of High Fire Hazard.

- The county fire marshal and each local fire official shall publish the declaration of high fire hazard in local media outlets for public review.

8.75.045 Failure to Cleanup Fireworks Waste.

- Failure to clean up fireworks waste is prohibited under this chapter.



New Ordinance—Key Provisions



8.75.040 - Prohibited acts—Exceptions.

(2) Limits on the Manufacture, Sale, Transportation, Discharge, Storage or Use of Fireworks Is Prohibited During a Declaration of High Fire Hazard. Except as permitted in this chapter, the manufacture, sale, transportation, discharge, storage or use of fireworks is prohibited during a declaration of high fire hazard declared in a region of responsibility;¹⁶

¹⁶ This is the key provision that makes illegal “using the manufacture, sale, transportation, discharge, storage or use of fireworks is prohibited during a declaration of high fire hazard declared in a region of responsibility.” The declaration can be issued by a local fire official, giving the Fire Districts much more flexibility.¶



New Ordinance—Key Provisions



8.75.040 - Prohibited acts—Exceptions.

... provided, however, that this restriction shall not apply:

- (a) To the use by railroads or other transportation agencies for signal or illumination purposes;
- (b) To the use of agricultural and wildlife fireworks;
- (c) To the use of devices for vegetation management or wildfire firefighting tactics;
- (d) To the use of flares or fuses in connection with the operation of vehicles or vessels for signal purposes, or use by others for emergency signal purposes, or illumination of for use in forest protection activities, or for those other uses described in RCW [70.77.311](#).
- (e) To the use of special effects when used as an integral part of a theatrical production;
- (f) To the transportation of fireworks through the county as part of interstate commerce; or,
- (g) To the public display of fireworks authorized by permit issued by the local fire official.



New Ordinance—Key Provisions



8.75.020 Definitions.

(3) “County fire marshal” means the person designated by the Board of County Commissioners pursuant to RCW [43.44.050\(1\)\(b\)](#) with the police power to investigate the origin, cause, circumstances, and extent of loss of all fires within unincorporated areas of Jefferson County.⁵¶

⁵ This definition was added at the request of the Fire Chiefs. According to the Fire Chiefs, there currently is no designated Fire Marshal for Jefferson County.¶

Staff Recommendation: The Board of County Commissioners should designate the DCD Director or designee as the County Fire Marshal. This can be done by motion of the BoCC. Staff recommends that Title 18 JCC (the Unified Development Code) be amended for transparency.





RCW 70.77.250(4): One-year Limit On More Restrictive Local Laws

RCW 70.77.250 Chief of the Washington state patrol to enforce and administer—Powers and duties.

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

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

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

(4) The chief of the Washington state patrol, through the director of fire protection, shall adopt those rules as are necessary to ensure statewide minimum standards for the enforcement of this chapter. Counties and cities shall comply with these state rules.

Any ordinances adopted by a county or city that are more restrictive than state law shall have an effective date no sooner than one year after their adoption.

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

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

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



A PROACTIVE APPROACH:

An example of the 2024 letter that went out via social media to encourage safe use of fireworks.

NOTE: The 2023 Independence Day holiday was the first time that a 2022 ordinance JCC 8.75.040 (2) was enacted due to a declaration of High Fire Danger.



Jefferson County Community Development Office of the Fire Marshal

621 Sheridan St • Port Townsend WA 98368
www.co.jefferson.wa.us/1687 | 360.379.4450

Jefferson County citizens and visitors to our great county should be aware of our dedication to safety as we celebrate the Independence Day holiday. All sales, discharge and possession of fireworks are banned in Port Townsend city limits and sky lanterns are banned in all of Jefferson County. Consumer fireworks legal in the State of Washington continue to be able to be used in the unrestricted areas of Jefferson County. Restricted areas include all county parks, state and federal lands as well as some communities within the county.

Please join us in our efforts to keep our community safe and clean, check your surroundings for dry grass and vegetation, do not aim over homes or people, don't wear loose or flammable clothing, do not relight faulty devices (extinguish in water after 15 minutes) and please clean up after yourself. Remember to keep water or a fire extinguisher nearby.

Fireworks discharge times are regulated by Washington State RCW70.77 and are listed below:

- June 28: Between noon and 11 p.m.
- June 29: July 3: Between 9 a.m. and 11 p.m.
- July 4: Between 9 a.m. and 12 a.m.
- July 5: Between 9 a.m. and 11 p.m.

For a list of Washington State legal fireworks see:
www.wsp.wa.gov/wp-content/uploads/2021/05/Consumer-Fireworks-Legal-in-Washington.pdf

For more fire work safety tips see:
www.wsp.wa.gov/fireworks/

We encourage safe celebration of our nations independence and wish you and your family a happy and safe Independence Day.

A handwritten signature in blue ink, appearing to read "Phil Cecere".

Phil Cecere
Jefferson County Fire Marshal



FIREWORKS INFORMATION: (A PROACTIVE APPROACH)

WHEN TO CALL 911 – FIREWORKS?

This chart is provided to help provide a guide on when you should Call 911 regarding fireworks. Reporting of illegal activities or use of fireworks to 9-1-1 should be limited to those instances when the activity is in progress and poses a threat or danger to others or yourself.

Incident or Question?	Call 911?	If not a call to 911 who should I call?
Are fireworks legal within the city or county I live in?	No	Fireworks inquiries can be answered by calling the local police or fire departments non-emergency phone.
I want to report fireworks violations: • Being used in a fireworks ban area • Time of use (between 11p.m. and 9a.m).	No	Fireworks violations may be reported by calling the police department's non-emergency phone number.
I have a firework related injury from using fireworks: • Burns • Injury to eye • Severed body parts	Yes Call 911	
A fire has started from the use of fireworks.	Yes Call 911	
The neighbor is using illegal fireworks (M-80's or explosives) at this time.	Yes Call 911	Or the local police department's non-emergency phone number if it has stopped.
Where do I get a Fireworks Stand License from?	No	Call the Office of the State Fire Marshal at (360) 596-3913.
I have old consumer fireworks I want to get rid of.	No	Call the local police department's non-emergency phone number.
I have found a short piece of pipe with a fuse coming out of it.	Yes Call 911	(Leave the device where it is and do not pick it up).
There is a storage container at the neighbor's house loaded with fireworks.	No	Call the local fire department's non-emergency phone number.
My next door neighbor is making fireworks in his garage?	Yes Call 911	Call the local police or fire departments non-emergency phone number.

Who can you call to report illegal fireworks or suspicious activities involving fireworks?

- Report suspicious activity immediately to local authorities by dialing 9-1-1.



CONCLUSION AND QUESTIONS

