

#3

**Minutes of June 13,
2019 meeting**



Public Safety and Justice Council Committee Meeting Minutes

Thursday, June 13, 2019
4:00 PM
Riverton Room

Members:	Present:	Absent:	Commence:	4:00PM
			Adjourn:	5:31PM
Pam Fernald, Chair	X			
Mayor Erin Sitterley	X			
Stanley Tombs	X			

Staff Coordinator: Jon Mattsen
 Other Council Members Present: Peter Kwon
 Other Staff Present: Troy Smithmeyer, Mary Mirante-Bartolo, Steve Pilcher, Gary Schenk, Cindy Corsilles, Carl Cole

1. Call to Order	Chair Fernald called the meeting to order at 4:01PM
2. Public Comment	There were no public comments.
3. Review of 4/11/19 Minutes	<u>X</u> Approval Committee approved the meeting minutes as written.
4. Permit Parking Program update/issues	<u>X</u> Discussion – Jon Mattsen gave a quick introduction of the people involved with the program stating that Sgt. Troy Smithmeyer and Adrian Presa, Parking Compliance Officer, are responsible for the operational aspects of the program with Sandi Hutchison being responsible for the administrative aspect. Troy then gave an update on the program. The program went 'live' on 5/20/19 with 198 parking permits issued. Adrian has issued 202 citations which also include other parking issues throughout the City such as commercial vehicles, parking in a fire lane, and parking where prohibited. The second Parking Compliance Officer is currently going through the KCSO background check and polygraph. There have been some minor technical issues with the Paylock system such as accepting addresses not within the Permit Parking Zone, but they are being resolved. Discussion / Questions followed. Committee to receive periodic updates on the Permit Parking Program.
5. Code Compliance Protocols	<u>X</u> Discussion – Steve Pilcher and Gary Schenk gave the Committee an outline with the breakdown of the Code Compliance Process along with a list of Code Compliance terms and definitions. They explained the general timeframe of how long the process takes from the time a complaint is received, the steps taken and length of time for completion. Steve also gave the Committee a list of Types

	<p>of Violations and asked the Committee to review the list and prioritize the level of seriousness of the violations. By having a better understanding of what the Committee and Council want, the City can then create a Code Compliance policy for staff.</p> <p>Discussion / Questions followed.</p> <p>Committee to determine list of priorities for code compliance and what type of code violations should be responded to as a complaint vs. observation.</p>
6. Martin vs. Boise court ruling	<p>X Discussion – Mary Mirante-Bartolo gave an update on the 9th Circuit Court decision on the Martin vs. Boise court ruling which was in regards to the City of Boise enforcing the City's Camping and Disorderly Conduct Ordinance on homeless individuals that had been sleeping on public property. The Court ruled that this Ordinance violated the Eighth Amendment's prohibition on cruel and unusual punishment. This case brought discussion with City officials on how this ruling affects SeaTac and will look at what options our Officers have when encountering homeless individuals. The City will also look at a Panhandling Ordinance.</p> <p>Discussion / Questions followed.</p>
7. Future Meeting Topics	<p>Vehicle Trespass Ordinance Mailbox Program Permit Parking Program Red Light Cameras</p>
	<p>Next Meeting: Thursday, July 11, 2019 6:00PM – 7:30PM</p> <p>Potential topics for next meeting: Gun Thefts in SeaTac Homeless Situation</p>
Adjourn	<p>Chair Fernald adjourned the meeting at 5:31PM</p>

#4

**Permit Parking Program
update/issues/Ordinance
review**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON AMENDING CHAPTER 9.50 OF THE SEATAC MUNICIPAL CODE RELATED TO THE PERMIT PARKING PROGRAM.

WHEREAS, Ordinance No. 18-1038 was adopted by the City Council on _____;

WHEREAS, City neighborhoods and business areas, particularly within the McMicken Heights/Sue Linda areas have experienced increased competition for limited on-street parking due to increased demand generated by the Sound Transit Airport Light Rail Station, Sea-Tac Airport, under-parked multifamily developments, and the construction of the pedestrian bridge across International Blvd. providing access to the Airport Light Rail Station and Sea-Tac Airport; and

WHEREAS, the residents of affected areas, specifically the residents in McMicken Heights/Sue Linda areas, have utilized cones or barriers to deter parking along their neighborhood streets and to reduce obstructions to mailboxes, driveways and allow for garbage pick-up service

WHEREAS, the City recognizes that multi-family developments present a unique challenge due to their residential densities and often face inadequate on-site parking conditions; and

WHEREAS, this was reviewed by the Public Safety and Justice Committee on July 11, 2019;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 9.50 of the SeaTac Municipal Code is hereby amended to read as follows:

9.50.010 Purpose.

A. The Program is established with the intent to:

1. Prioritize parking for residents and local businesses;
2. Manage availability of on-street parking supply in designated areas;
3. Implement a process for issuing permits that authorize parking within restricted zones;
4. Establish rules and regulations to implement the program;
5. Provide for a means of enforcement; and
6. Provide for recovery of the costs for the administration of the Program; and
7. To protect the public health, safety and welfare.

9.50.020 Definitions.

For the purposes of this Chapter, the following definitions shall apply:

- A. “Business” means a Person, as defined in SMC 5.05.010(D), that has been issued a Business License pursuant to SMC Chapter 5.05 and is located within a Permit Parking Zone.
- B. “City Manager” means City Manager or designee.
- C. “Duplex” has the same meaning as in SMC 15.105.040.
- D. “Dwelling Unit” has the same meaning as in SMC 15.105.040.
- E. “Multi-Family Building” has the same meaning as in SMC 15.105.130.
- F. “Parking Permit” or “Permit” means an affirmative authorization issued electronically by the City Manager to a Resident or Business, that enables a specific vehicle to park in a Permit Parking Zone in excess of the posted time limits.
- G. “Permit holder” means a Resident or Business that applied and was approved to park within the Permit Parking Zone.
- H. “Permit Parking Zone” (PPZ) means a designated area where time limits are established for parking on certain public streets that apply to all vehicles except vehicles with a valid Parking Permit.
- I. “Program” means Permit Parking Program.
- J. “Resident” means an individual who resides within a Permit Parking Zone.
- K. “Single Family Dwelling Unit” has the same meaning as “Dwelling Unit, Detached” in SMC 15.105.040.
- L. “Townhouse” has the same meaning as in SMC 15.105.200.
- M. “Vehicle” has the same meaning as Motor Vehicle, as defined in RCW 46.04.370.

9.50.030 Authority.

- A. Consistent with SMC 9.05.090, the City Manager is authorized to identify and designate by appropriate signage parking restrictions, time limitations for City streets located within the PPZ, in order to provide for reasonable parking availability and safe use of City streets.
- B. Parking Compliance Officer(s) is a limited commission officer who shall also have the authority to issue a notice of infraction to enforce violations of this Chapter.

9.50.040 Parking Permits.

A. A Resident or Business is eligible to apply for a Parking Permit in the manner set forth in this Section. A parking permit is assigned to a specific vehicle and does not guarantee a parking space and does not exempt the permit holder from observing zones where parking is prohibited at all or at specified times for safety reasons or for reasons other than related to the parking permit, including but not limited to, permanent or temporary no parking zones, loading zones, fire zones, and disabled parking areas.

B. Permit Limits.

1. For Residents whose Dwelling Unit is a Single Family Dwelling Unit, or is located within a Duplex, no more than two (2) Parking Permits may be issued at any one time per address.
2. For Residents whose Dwelling Unit is located within a Townhouse or Multi-Family Building, no more than one (1) Parking Permits may be issued at any one time per address.
3. For Businesses, no more than two (2) Parking Permits may be issued at any one time per address, unless the Business is located in a Townhouse or Multi-Family Building, in which case only one (1) Parking Permit is allowed at any one time per address.
4. For Residents and Businesses located at the same address, no more than two (2) Parking Permits may be issued at any one time, unless the Residence/Business is located in a Townhouse or Multi-Family Building, in which case only one (1) Parking Permit is allowed at any one time.
5. The City Manager may issue more Parking Permits than the Permit limit established in this Section for Residents whose Dwelling Unit is located within a Townhouse or Multi-Family Building. Any additional Parking Permits may only be issued after an evaluation of on-street parking within the PPZ that demonstrates excess on-street parking capacity and consideration of a demonstrated need for the issuance of additional permits.

C. Permit Application and Eligibility.

A permit application shall be submitted electronically or on a form provided by the City. A Resident or Business shall provide and attest to the accuracy of the information provided, and acknowledge the terms and conditions of the Permit.

1. For a Resident to obtain a Permit, all of the following requirements shall be met:
 - a. The Resident must reside within the PPZ for which the Permit is to be issued; and
 - b. The Resident must provide proof of residency by submitting a copy of one (1) of the following:
 - i. A valid driver's license with the Resident's name and current address.
 - ii. A current property tax statement in the Resident's name.
 - iii. A current utility bill in the Resident's name dated within thirty (30) days of the application date.
 - iv. A voter registration card with the Resident's name and current address, or
 - v. Any other documentation deemed acceptable by the City Manager.

- c. The vehicle must be registered to the same address as the Resident's address.
2. For a Business to obtain a Permit, all of the following requirements shall be met:
 - i. The Business must be located within the PPZ for which the Permit is to be issued; and
 - ii. The address listed on the Business's City Business License is located within the PPZ.

D. Fees.

1. Fees shall be adopted under the SeaTac fee schedule. The Finance Director may establish an annual system for permit renewal and fee collection.
 - a. Permit fees shall be paid at the time the application is submitted.
 - b. The Program may allow a reduced fee based on the applicant's annual income; provided, any discount is subject to proof of eligibility through supporting financial information submitted to the City.
 - c. All Permit fees are non-refundable.
2. Reissuance Fee. An administrative fee may be assessed for the reissuance of each permit.

E. Permit Issuance, Expiration, and Renewal.

1. Issuance. A parking permit shall only be issued for a specific vehicle and zone, and is non-transferable to any other vehicle.
2. Reissuance or Cancellation of Parking Permit. A Permit Holder shall cancel or request reissuance of a permit in the event a permitted vehicle has been sold, stolen, or destroyed. When a permit has been reissued, the original permit will be deemed inactive and no longer valid.
3. Expiration and Renewal. Parking permits shall be valid for one (1) year from the date the permit was issued. Permits may be renewed annually.

F. Denial of Permit. Issuance of a Permit may be denied for any of the following reasons:

1. Any material misrepresentation on a permit application.
2. The Resident or Business does not satisfy the requirements under SMC 9.05.040 (C).
3. Issuance of the Permit will result in exceeding the Permit limits established in SMC 9.05.040(B).
4. The Permit application is incomplete.

If the issuance of a Permit is denied, the City shall provide the applicant with the reason(s) for denial in writing. The applicant may remedy the issue(s) by providing supplemental or clarifying information and resubmitting the application.

G. Revocation of Permit. The City Manager may revoke a Parking Permit(s) if:

1. the Permit Holder made any material misrepresentations when applying for a Permit; or

2. the Permit Holder no longer satisfies the requirements set forth in SMC 9.05.040 (C);

If a Permit is revoked, the City shall provide the Permit Holder with the reason(s) for the revocation in writing.

9.50.070 Parking Zones and Restrictions.

- A. Permit Parking Zone 1 is depicted on the map as shown in **Exhibit A**.
- B. The parking restrictions and time limitations within a PPZ are enforced twenty-four (24) hours a day, seven (7) days a week, including holidays.

9.50.080 Enforcement and Violations.

- A. Overtime Parking. It is a parking infraction with a monetary penalty of fifty dollars (\$50.00), for any vehicle to remain parked in excess of the posted time limits within a PPZ without a valid Parking Permit. However, vehicles displaying special license plates for persons with disabilities, parking placards, or special license plates with a special year tab for persons with disabilities pursuant to Chapter 46.19 RCW are not in violation of this Section.
- B. In addition to Permit revocation as set forth in SMC 9.50.040 (G), it is an infraction, with a monetary penalty of two hundred and fifty dollars (\$250.00), for any person to make a material misrepresentation when applying for a Parking Permit.

9.50.090 Repeated Violation for Overtime Parking.

Once a notice of infraction for overtime parking has been issued and the cited vehicle remains parked where cited for the previous violation, a separate violation occurs upon the expiration of each successive maximum period of parking time as designated by official signs. A separate citation may be issued for each successive violation.

9.50.100 Establishing and Expanding Permit Parking Zones.

- A. The City Manager shall consider whether a Permit Parking Zone within a defined area would promote certain benefits, and may recommend to the City Council establishment of additional Permit Parking Zones in an area where either one of the following instances occur:
 1. Upon receipt of a petition in which 75% of the Residents and/or Businesses in a defined area request the establishment of a new, or expansion of an established, Permit Parking Zone, and available on-street parking spaces in such defined area is routinely below 40% of available on-street parking spaces used for greater than three (3) hours; or
 2. A finding by the City Manager that there are benefits in establishing a new or expanding an existing Permit Parking Zone which includes but is not limited to:
 - a. Increased access for area residents and business owners;
 - b. Reduced traffic congestion;
 - c. Increased traffic or pedestrian safety;
 - d. Reduced air or noise pollution;
 - e. Reduced commuter parking in neighborhoods; and
 - f. Prevention of blighted areas.

B. Adverse impacts that may prevent establishing, expanding, or reducing a PPZ include but are not limited to:

1. Inability to effectively enforce the program restrictions;
2. Lack of alternative transportation modes; and
3. Availability of efficient and more cost effective solutions.

Section 2. If any provision of this Chapter is held to be invalid for any reason, such decisions shall not affect the validity of remaining provisions of this Chapter, and this Chapter shall be construed and enforced as if such invalid provision had not been contained herein.

Section 3. This Ordinance shall be effective upon passage and publication as required by law.

ADOPTED this _____ day of _____, 2019 and signed in authentication thereof on this _____ day of _____, 2019.

CITY OF SEATAC

Erin Sitterley, Mayor

ATTEST:

Kristina Gregg, City Clerk

APPROVED AS TO FORM:

Mary Mirante Bartolo, City Attorney

[Ordinance Amending Permit Parking Program 9.50]

EXHIBIT A



#5a

Fireworks Ordinance

5.35

(41 hits)

**Chapter 5.35
FIREWORKS**

Sections:

- 5.35.010 Definitions.
- 5.35.015 Reckless discharge of fireworks.
- 5.35.020 General provisions.
- 5.35.025 Enforcement.
- 5.35.030 Repealed.
- 5.35.040 Repealed.
- 5.35.050 Public or religious displays of fireworks.
- 5.35.055 Issuance – Nontransferable – Voiding.
- 5.35.060 Repealed.
- 5.35.070 Repealed.
- 5.35.080 Exceptions.
- 5.35.085 Construction.
- 5.35.090 Violation – Penalty.

5.35.010 Definitions.

The definitions of Chapter 70.77 RCW as now stated or hereinafter amended shall govern the construction of this chapter, when applicable. RCW 70.77.120 through and including RCW 70.77.236 as now stated or hereinafter amended are adopted by reference. In addition, the following definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

- A. "Chief" or "Fire Chief" means the Chief of the City of SeaTac Fire Department.
- B. "City" means the City of SeaTac.
- C. "Fire Department" means the City of SeaTac Fire Department. (Ord. 05-1006 § 1; Ord. 02-1021 § 1; Ord. 93-1020 § 1)

5.35.015 Reckless discharge of fireworks.

RCW 70.77.488 is hereby incorporated as now or hereafter amended, and all other statutes adopted by reference therein as if fully set forth herein. (Ord. 05-1006 § 1)

5.35.020 General provisions.

A. It shall be unlawful for any person, firm, or corporation to offer for sale, at retail or wholesale, or to sell, at retail or wholesale, any fireworks within the City; provided, that this prohibition does not apply to duly authorized public displays.

B. It shall be a civil infraction, with a monetary penalty of two hundred fifty dollars (\$250.00), including costs and assessments, for any person to purchase, possess, use, discharge, ignite, or explode any fireworks within the City except:

1. As authorized by City permit to operate a public display of fireworks, granted pursuant to this chapter; or
2. As authorized by RCW 70.77.311 (2) (use by individual or group for religious purpose on approved date and at approved location); provided, that a permit is obtained from the Fire Chief or designee pursuant to this chapter.

C. It shall be unlawful for any person, firm, or corporation to hold, conduct, or engage in any public or religious display of fireworks within the City without first having obtained and being a valid holder of a valid permit under the provisions of this chapter. (Ord. 05-1006 § 1; Ord. 02-1021 § 2; Ord. 95-1014 § 1; Ord. 93-1020 § 1)

5.35.025 Enforcement.

Law enforcement and the Fire Department are authorized to enforce the provisions of this chapter, including, but not limited to, the issuance of civil infractions pursuant to this chapter. (Ord. 05-1006 § 1)

5.35.030 Sales application – Permit.

Repealed by Ord. 05-1006. (Ord. 93-1020 § 1)

5.35.040 Fireworks stands.

Repealed by Ord. 05-1006. (Ord. 93-1020 § 1)

5.35.050 Public or religious displays of fireworks.

A. Any person desiring to give or make a public or religious display of fireworks within the City shall make an application for a permit to operate the public or religious display, in writing, to the Chief of the Fire Department. The application shall set forth the following information:

1. The name of the organization sponsoring the display, together with the names and addresses of persons actually in charge of the firing/presentation of the display;
2. The date and time of day at which the display is to be held;
3. The exact location planned for the display;
4. A description setting forth the age and experience of the persons who are to do the actual discharging of the fireworks;
5. The number, type and description of fireworks to be discharged, and the name, address, and telephone number of the licensed manufacturer, importer, or wholesaler where such fireworks will be or have been purchased;
6. The manner and place of storage of such fireworks prior to the display; and
7. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of transit or communication as well as telephone, electric and other utility lines and poles and any other

structures, facilities or objects which could present overhead obstructions, located within five hundred (500) feet of the point of discharge.

B. Fee for Public Display Permit. There shall be no permit fee for a permit issued by the City under this chapter.

C. Investigation on Site – Certificate of Compliance by Fire Department – Notice of Approval by Fire Department. Upon receipt of such application, at least thirty (30) days in advance of the date set for the display, the Fire Department shall make an investigation of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. If the Fire Chief or designee is satisfied that the display is lawful and there has or will be full compliance with all applicable laws, State and local, then the Fire Chief or designee shall issue a written recommendation for or against the permit which shall be kept on file in the Fire Chief's or designee's office and available for review by authorized reviewing agencies. If the Fire Chief or designee finds that the permit applicant has complied with all applicable laws, then the Fire Chief or designee may issue a certificate of compliance stating an endorsement of the display as being in conformance with all applicable laws and with these regulations. For any scheduled public display, applicants must also submit such information as is deemed appropriate by the Police Department of the City to ensure that adequate traffic control and crowd protection policing and any other measures necessary or appropriate for public safety have been arranged either through private security agencies or through a contract with the City's Police Department or the King County Department of Public Safety. A written notice that the applicant has complied with these requirements shall be issued by the Police Chief before a public display permit is issued.

D. Every public or religious display of fireworks shall be handled by at least two (2) competent operators approved by the Fire Chief or designee, and every public or religious display of fireworks shall be of such character, and so located, discharged or fired that, in the opinion of the Fire Chief or designee, after proper investigation, it would not constitute a hazard to property or endanger any person.

E. At least one (1) operator at each public or religious display of fireworks shall be a pyrotechnic operator licensed by the Chief of the Washington State Patrol, through the Director of Fire Protection, under RCW 70.77.255. The State-licensed pyrotechnic operator shall be the person who actually discharges or ignites the fireworks.

F. A bond or certificate of insurance must be furnished to the Fire Chief or designee before a permit is issued. The bond shall be in the amount of one million dollars (\$1,000,000) and shall be conditioned upon the applicant's payment of all damages to persons and property resulting from or caused by any public display of fireworks, or by any negligence on the part of the applicant or its agents, servants, employees or subcontractors in the presentation of the display. The certificate of insurance shall evidence a comprehensive general liability (including automobile coverage) insurance policy providing limits of one million dollars (\$1,000,000) combined single limit per occurrence and annual aggregate, naming the City of SeaTac as an additional insured. Any such bond or insurance policy must be approved by the City Attorney.

G. A cash deposit in the amount of three hundred dollars (\$300.00) must be posted with the Fire Chief or designee at least thirty (30) days in advance of the public or religious display date to provide for the costs of site cleanup. The deposit shall be forfeited to the City if the operator fails to perform such cleanup within three (3) days of the display. If the operator properly performs the cleanup, the deposit shall be returned to the operator.

H. Storage.

1. As soon as the fireworks have been delivered to the display site, they shall be attended and shall remain dry.
2. All shells shall be inspected upon delivery to the display site by the display operator. Any shells having tears, leaks, broken fuses or showing signs of having been wet shall be set aside and shall not be fired. After the display, any such shells shall be either returned to the supplier or destroyed according to the supplier's instructions.
3. All fireworks at the firing site must be stored in ready boxes (substantially constructed wood magazines). During the display, magazines must be twenty-five (25) feet upwind (in relation to the firing item) from the nearest mortar. Magazine lids must be open in the opposite direction of the firing. All ready boxes are to be protected by a flameproof water-repellent canvas cover until emptied.
4. The shell storage area shall be located at a minimum distance of not less than twenty-five (25) feet from the discharge site.
5. During the display, shells shall be stored upwind from the discharge site. If the winds shift during the display, the shell storage area shall be relocated to be upwind from the discharge site.
6. There shall be at least two (2) 2A-rated fire extinguishers (two and one-half (2-1/2) gallon water), UL approved kept as widely separated as possible within the actual area where the discharging will occur.

I. Preparation of Site Crowd Control.

1. All dry grass, weeds and other combustible waste within fifty (50) feet of the firing site shall be removed.
2. The site shall be located so that the trajectory of shells shall not come within fifty (50) feet of any overhead object including but not limited to above ground telephone, telegraph or electric lines, trees or wooded areas.
3. Discharged fireworks shall not come within one hundred (100) feet of any tent or canvas shelter.
4. The firing and storage site shall be located not less than two hundred (200) feet from any building, public highway or railroad or other means of travel.
5. No boats shall be allowed within two hundred (200) feet of the firing or storage site.

6. The operators shall provide sufficient personnel to assure that no unauthorized persons are allowed within two hundred (200) feet of the firing and storage site. This requirement shall be in effect from one-half (1/2) hour prior to the arrival of fireworks until the fireworks debris, equipment and fireworks have been removed from the site.
7. Spectators shall be restrained behind lines or barriers at least two hundred (200) feet from the firing and storage locations.

J. Installation of Mortars.

1. Mortars shall be inspected by the operators for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.
2. Mortars shall be positioned so that the shells are carried away from spectators and buildings. When fired over water, mortars shall be installed at an angle of not less than ten (10) degrees, pointed towards the water.
3. Mortars shall be either buried securely into the ground to a depth of two-thirds (2/3) to three-fourths (3/4) of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber or rock slabs shall be placed beneath the mortars to prevent their sinking or being driven into the ground during firing.
4. In damp ground, a weather-resistant bag should be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture.
5. Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating inside the surface of the mortar.

K. Operation of the Display.

1. The operators shall provide fire protection at the site as required by the Fire Chief or designee.
2. Only fireworks approved by the Fire Chief are authorized for use.
3. When display is fired from a barge or vessel, a secured area shall be established around the barge or vessel to prevent boats from entering the fallout area. No boats shall be allowed within two hundred (200) feet of the firing or storage site. A boat shall be on standby to remove personnel from the barge and otherwise respond in the case of an emergency. Additional fire extinguishers, rated 2A minimum, shall be on the barge and so spaced that an extinguisher shall be available at all times.
4. If, in the opinion of the Fire Chief or designee or authorized representative, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.
5. If at any time high winds or unusually wet weather prevail such that, in the opinion of the Fire Chief or designee or authorized representative of the display operators, a definite fire danger

exists, the public display shall be discontinued or postponed until weather conditions improve so as to permit safe discharge of fireworks.

6. Light snow or mist need not cause cancellation of the display; however, all materials used in the display shall be protected from the weather until immediately prior to use.

7. Display operators and assistants shall use only flashlights or approved electrical lighting for artificial illumination.

8. No smoking or open flames shall be allowed within fifty (50) feet of the firing or storage area so long as shells are present. Signs to this effect shall be conspicuously posted.

9. The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the shell functions are over and any debris falls into the planned landing area.

10. Mortars shall be re-angled or reset if necessary at any time during the display to properly adjust the trajectory or landing area.

11. When a shell fails to ignite in the mortar, the mortar shall not be touched for a minimum of five (5) minutes. After five (5) minutes it shall be carefully flooded with water. Immediately following the display, the mortar shall be emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.

12. Operators shall not attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.

13. Operators shall not dry a wet shell, nor shall they lance or pot a wet shell for reuse.

14. The entire firing range shall be inspected immediately following the display to locate any defective shells. Any such shells found shall be immediately doused with water before handling. The shells shall be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.

15. When fireworks are displayed in darkness, the operator shall ensure that the firing range is inspected early the following morning.

16. Any fireworks remaining unfired after the display shall be immediately disposed of or removed from the City in a safe manner.

17. The debris from discharged fireworks shall be disposed of in a proper manner.

L. Additional Safety Measures. When, in the sole discretion of the Fire Chief, it is necessary to preserve the public health, safety and welfare of the City, a permit may be conditioned upon any other safety requirements as deemed appropriate by the Fire Chief. The applicant shall bear the cost of any additional safety requirements, and, at the sole discretion of the Fire Chief or designee, may be required to pay those costs prior to the issuance of a permit.

M. The denial by the Fire Chief or designee of a permit issued under this chapter may be appealed to the City Council in the same manner as decisions of the Hearing Examiner, as set forth in SMC 1.20.230 through 1.20.280. The decision of the City Council shall be final and conclusive. (Ord. 05-1006 § 1; Ord. 93-1020 § 1)

5.35.055 Issuance – Nontransferable – Voiding.

Each permit issued pursuant to this chapter shall be valid only for the specific authorized event, shall be used only by the designated permittee, and shall be nontransferable. Any transfer or unauthorized use of a permit is a violation of this chapter and shall void the permit in addition to all other sanctions provided in this code. (Ord. 05-1006 § 1)

5.35.060 Sale of fireworks.

Repealed by Ord. 05-1006. (Ord. 02-1021 § 3; Ord. 93-1020 § 1)

5.35.070 Unclassified fireworks.

Repealed by Ord. 05-1006. (Ord. 93-1020 § 1)

5.35.080 Exceptions.

The provisions of this chapter shall not apply to "toy sparklers" and "toy caps" containing not more than 25/100ths grains of explosive compound for each cap and/or sparkler. It is further provided, that nothing contained in this chapter shall be deemed to prohibit the use of any explosive or flammable compound, blasting caps and similar items used for industrial purposes, nor to prohibit the use of any blank cartridges for use by person for bona fide ceremonial services, sporting events or demonstrations. This chapter shall not be construed so as to prohibit the use of torpedoes, flares or fuses by the operators of motor vehicles or railroads, nor by other transportation agencies for signal purposes. This chapter shall also not apply to the assembling, use and display of fireworks, of whatever nature, by any persons engaged in the production of fireworks when such use and display are necessary parts of the production and such persons possess requisite State permits to do so. This chapter shall also not apply to manufacturers, wholesalers, dealers or jobbers who possess the appropriate licenses and/or permits from manufacturing or selling any kind of fireworks for direct shipment out of the City or out of the State, nor for manufacturing and/or selling at wholesale any dangerous fireworks to properly licensed persons holding a valid permit for a public display of fireworks. (Ord. 05-1006 § 1; Ord. 93-1020 § 1)

5.35.085 Construction.

This chapter is intended to implement Chapter 70.77 RCW, and shall be construed in connection with that law and any and all regulations issued pursuant thereto. (Ord. 05-1006 § 1)

5.35.090 Violation – Penalty.

A. Any person violating any provision of this chapter for which no penalty is specifically provided is guilty of a misdemeanor, and upon conviction shall be punished by a fine in an amount not exceeding one thousand dollars (\$1,000), or by imprisonment for a term not exceeding ninety (90) days, or by both.

B. A person commits a separate offense for each separate and distinct violation of any provisions of this chapter, and a person commits a separate offense for each day during which he/she commits or allows to continue a violation of any provisions of this chapter.

C. Any fireworks which are illegally sold, offered for sale, used, discharged, ignited, exploded, possessed or transported in violation of the provisions of this chapter or of Chapter 70.77 RCW shall be subject to seizure by any police officer or by the Fire Chief or his designee.

D. It shall be a civil infraction, with a monetary penalty of two hundred fifty dollars (\$250.00), including costs and assessments, for any parent, guardian, or other person having control or custody of a person under the age of eighteen (18) years of age to authorize or permit such person to violate any provision of this chapter. (Ord. 05-1006 § 1: Ord. 93-1020 § 1)

The SeaTac Municipal Code is current through Ordinance 19-1014, passed June 11, 2019.

Disclaimer: The City Clerk's Office has the official version of the SeaTac Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.seatac.wa.us/> (<http://www.ci.seatac.wa.us/>)

City Telephone: (206) 973-4800

Code Publishing Company (<https://www.codepublishing.com/>)

#5b

July 4th stats

King County Sheriff's Office
City of SeaTac
Fireworks Incidents
July 4, 2019

Rptd Date	Rptd Time	Dist	Pri	On-View?	Primary Unit	FCR	Disp	FCR Description	Disposition Description
7/4/2019	1200	L4	3	N	1L16	550	B	AREA CHECK (INCLUDES REQUESTS FOR PATROL)	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	1452	L4	3	N	1L15	550	U	AREA CHECK (INCLUDES REQUESTS FOR PATROL)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1623	L4	3	N	3L35	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1636	L4	3	N	3L37	550	B	AREA CHECK (INCLUDES REQUESTS FOR PATROL)	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	1743	L2	3	N	2L25	551	Q	ASSIST, OTHER AGENCY	NO POLICE ACTION POSSIBLE/NECESSARY
7/4/2019	1750	L2	3	N	2L25	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1853	L2	3	N	3L37	550	U	AREA CHECK (INCLUDES REQUESTS FOR PATROL)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1858	L2	3	N	NULL	NULL	NULL	NULL	NULL
7/4/2019	1918	L2	3	N	3L35	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1935	L2	3	N	2L25	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	1944	L4	3	N	3L35	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	2050	L2	3	N	2L25	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	2052	L1	3	N	4L42	355	B	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	2101	L1	3	N	2L25	355	B	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	2125	L4	3	N	4L42	355	U	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT
7/4/2019	2127	L2	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2133	L1	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2139	L2	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2140	L1	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2141	L3	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2148	L2	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2153	L2	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2156	L1	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2158	L1	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2201	L2	3	N	4L43	364	Q	DISTURBANCE, (NOISE, LOUD PARTY, ETC)	NO POLICE ACTION POSSIBLE/NECESSARY
7/4/2019	2221	L1	3	N	4L43	364	V	DISTURBANCE, (NOISE, LOUD PARTY, ETC)	WARNING GIVEN
7/4/2019	2222	L2	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2227	L4	3	N	NULL	CAN		CANCELLED	NULL
7/4/2019	2238	L1	3	Y	4L42	355	B	FIREWORKS (CONFISCATED/VIOLATION) (NOT NUISANCE)	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	2321	L1	3	Y	4L43	163	B	JUVENILE DISTURBANCE	ASSISTANCE RENDERED/ASSIGNMENT COMPLETED ON SCENE - NO INCIDENT REPORT
7/4/2019	2345	L4	3	N	4L43	163	U	JUVENILE DISTURBANCE	UNABLE TO LOCATE INCIDENT, COMPLAINANT OR SUSPECT