

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 22, 2015

AGENDA ITEM: Ordinance - AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADDING A NEW SECTION TO CHAPTER 6.82 OF THE MUNICIPAL CODE PROHIBITING THE POSSESSION OF FIREWORKS IN A PARK.	
PREPARED BY: Jon Walker, City Attorney	DIRECTOR APPROVAL:
DEPARTMENT: Executive/Legal	
ATTACHMENTS: 1. Proposed Ordinance.	
BUDGET CODE:	AMOUNT: N/A

SUMMARY:

In the past, individuals have used city parks to discharge fireworks. The discharge of fireworks results in burning material landing on grass, plants, and buildings, creating a fire hazard. Fireworks explode, discharge sparks and, in some cases, projectiles, all of which can cause injury. The use of fireworks in parks is not consistent with safe recreational activities for which the City's parks are intended. Additionally, the persons using fireworks in parks have left used fireworks, alcohol containers, and other debris, requiring the city to clean up afterwards.

RECOMMENDED ACTION:

Staff recommends that Council approve the Ordinance adding a new section to the municipal code to prohibit the possession of fireworks in parks.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
ADDING A NEW SECTION TO CHAPTER 6.82 OF THE MUNICIPAL CODE
PROHIBITING THE POSSESSION OF FIREWORKS IN A PARK; AND
EFFECTIVE DATE.**

WHEREAS, the discharge of fireworks in a park endangers public safety and public property; and,

WHEREAS, the past use of fireworks in the city's parks resulted in large amounts of debris that was required to be cleaned up at public expense; and

WHEREAS, the possession of fireworks in a park is inconsistent with the safe use of parks by members of the public.

NOW THEREFORE, the City Council of the City of Marysville, Washington do ordain as follows:

Section 1. A new section is added to chapter 6.82 of the municipal code to read as follows:

It is unlawful to possess any fireworks of any kind in any park. The penalty for violation of this section shall be the same as provided for in MMC 9.20.130.

Section 2. **Codification.** This new section shall be added as Title 6, Chapter 82, Section 071.

Section 3. **Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. **Effective Date.** This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2015.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)