
CHAPTER 9.16 FIREWORKS

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9.16.010 Definitions.

Unless the context in which they are used otherwise requires, the following definitions shall govern the construction of the terms found in this chapter:

"Agricultural and wildlife fireworks" includes fireworks devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the United States Department of the Interior.

"Common fireworks" means any fireworks designed primarily to produce visible or audible effects by combustion.

1. The term includes:

- i. Ground and hand-held sparkling devices, including items commonly known as dipped sticks, sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, ground spinners, and flitter sparklers;
- ii. Smoke devices;

- iii. Fireworks commonly known as helicopters, aerals, spinners, roman candles, mines, and shells;
- iv. Class C explosives classified on January 1, 1984, as common fireworks by the United States Department of Transportation.

2. The term does not include fireworks commonly known as firecrackers, salutes, chasers, skyrockets, and missile-type rockets.

"Fire Chief" means the Fire Chief for Grant County Fire District No. 3 or his designee, who shall be the local fire official for purposes of Chapter [70.77](#) RCW.

"Fire nuisance" means anything or any act which increases, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire; or which may obstruct, delay, or hinder, or may become the cause of any obstruction, delay or the hindrance to the prevention of or extinguishment of fire.

"Fireworks" means any composition or device, in a finished state, containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and classified as common or special fireworks.

"License" means a nontransferable formal authorization which the State Fire Marshal is permitted to issue under Chapter [70.77](#) RCW to engage in the acts specifically designated therein.

"Manufacturer" includes any person who manufactures, makes, constructs, fabricates, or produces any fireworks article or device but does not include persons who assemble or fabricate sets or mechanical pieces in public displays of fireworks.

"Permit" means the official permission granted by the City for the purpose of doing any act which is regulated by this chapter.

"Person" includes any individual, firm, partnership, joint venture, association, concern, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

"Public display of fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of special fireworks.

"Pyrotechnic operator" includes any individual who by experience and training has demonstrated the required skill and ability for safely setting up and discharging public displays of fireworks.

"Retailer" includes any person who, at a fixed location or place of business, sells, transfers, or gives common fireworks to a consumer or user.

"Special fireworks" includes any fireworks designed primarily for exhibition display by producing visible or audible effects. The term includes fireworks commonly known as skyrockets, missile-type rockets, firecrackers, salutes and chasers and fireworks not classified as common fireworks.

"Wholesaler" includes any person who sells fireworks to a retailer or any other person for resale and any person who sells special fireworks to public display permittee. ([Ord 18-517 §1](#); *Ord 674 §1, 1985*)

9.16.020 Acts prohibited without a permit.

No person shall do any of the following acts in the City without having first obtained and having in full force and effect a valid permit issued by the City to do so:

1. Manufacture, import, possess or sell any fireworks, including agricultural and wildlife fireworks, at wholesale or retail for any use provided, however no permit is required for the possession or use of common fireworks lawfully purchased at retail;
2. Discharge special fireworks at any place;
3. Make a public display of fireworks; or
4. Transport fireworks, except as a public carrier delivering to a permittee. (*Ord 674 §2, 1985*)

9.16.030 Application for permit.

A. Any person desiring to do any act set forth in Section [9.16.020](#) shall first make written application for a permit to the Fire Chief. The application for a permit shall be signed by the applicant. If the application is made by a partnership, it shall be signed by each partner of the partnership, and if the application is made by a corporation, it shall be signed by an officer of the corporation and bear the seal of the corporation.

The application shall be in such form as the Fire Chief shall require and shall include, at a minimum, the following information:

1. The true name, address and telephone number of the applicant;
2. A statement by the applicant that he or she is over the age of eighteen years;
3. A statement as to whether the applicant possesses a license issued by the State Fire Marshal to do the act for which the permit is sought, and the current status of the said license;

4. The proposed location at which the applicant intends to perform the act for which the permit is sought; and

5. Such other information as the Fire Chief may require in order to make any investigation or report required by this chapter.

B. All applications for permits pursuant to this chapter shall be accompanied by a nonrefundable permit fee of fifty dollars. The City Council finds that this charge is necessary to cover the legitimate administrative costs for permit processing and inspection.

C. All applications for permits pursuant to this chapter shall be accompanied by a certificate of insurance coverage evidencing the carrying of a comprehensive general liability insurance policy with a minimum coverage of five hundred thousand dollars and one million dollars for bodily injury liability for each person and event, respectively, and not less than five hundred thousand dollars for property damage liability for each event. Such general liability policy shall name the City as an additional named insured, must be in full force and effect for the duration of the permit, and shall include a provision prohibiting cancellation of said policy without thirty days' written notice to the City. Said policy and certificate shall be in a form approved by the City Attorney.

D. Applications for public display of fireworks shall be made in writing at least forty-five days in advance of the proposed display. ([Ord 18-517 §2](#); [Ord 674 §3, 1985](#))

9.16.040 Investigation, report on permit application.

It shall be the duty of the Fire Chief to make an investigation and prepare a report of his findings and conclusions for or against the issuance of the permit, together with his reasons therefor. In the case of an application for a permit for a public display of fireworks, the Fire Chief shall, in addition to any other investigation, make an investigation as to whether such display as proposed will be of such a character and will be so located that it may be hazardous to property or dangerous to any person. ([Ord 674 §4, 1985](#))

9.16.050 City Council may grant or deny permit – Conditions.

The City Council shall have the power to grant or deny any application for a permit, or to subject the same to such reasonable conditions, if any, as it shall prescribe. ([Ord 18-517 §3](#); [Ord 674 §5, 1985](#))

9.16.060 License required prior to issuance of permit.

No permit shall be issued unless the person applying therefor shall first have obtained and have in full force and effect a valid license issued by the State Fire Marshal, pursuant to RCW Chapter [70.77](#), to do the particular act or acts for which the permit is sought. ([Ord 02-98 §1](#); [Ord 674 §6, 1985](#))

9.16.070 Public display permit – Granted for exclusive purpose – Nontransferable.

If a permit for the public display of fireworks is granted, the sale, possession and use of fireworks for the public display is lawful for that purpose only. No such permit granted shall be transferable. ([Ord 674 §7, 1985](#))

9.16.080 Supervision of public displays.

Every public display of fireworks shall be handled or supervised by a pyrotechnic operator approved by the fire chief. ([Ord 674 §8, 1985](#))

9.16.090 Permit authorizes activities of salesmen, employees.

The authorization to engage in the particular act or acts as conferred by a permit to a person shall extend to salesmen and other employees of such person that are eighteen years of age or older. ([Ord 674 §9, 1985](#))

9.16.095 Permits for the sale of common fireworks.

A. One permit for the sale of common fireworks shall be issued by the City.

B. A permit for the sale of common fireworks shall be issued only to a Person who is a nonprofit charitable, religious or eleemosynary corporation, corporations, organizations, organized and existing primarily for verean, patriotic, religious, charitable or civic betterment purposes having its principal and permanent meeting place in or near the city and has been established in the City for a period of at least one year prior to the date application is made for a Permit.

C. Applications for renewal of a Permit to sell common fireworks shall be given preference over such applications by persons not previously permitted; provided, that if the holder of the Permit fails to make application for renewal by the third Monday in April, the preference shall be forfeited. ([Ord 02-98 §2](#))

9.16.100 Dates and times common fireworks may be sold or discharged.

A. Sales. No common fireworks may be sold within the City except between twelve noon to nine p.m. on June 28th through July 4th each year. Provided, however, common fireworks may be sold after ten a.m. on Saturdays and Sundays.

B. Use or Discharge. No common fireworks may be used or discharged within the City except the following dates and times each year:

1. Between nine a.m. and eleven p.m. on July 3rd;

2. Between nine a.m. and midnight July 4th. ([Ord 18-518 §1](#); [Ord 17-489 §1](#); [Ord 674 §10, 1985](#))

9.16.110 Sales of common fireworks.

No person shall sell common fireworks to a consumer or user thereof other than at a fixed place of business of a retailer for which a license has been issued. ([Ord 674 §11, 1985](#))

9.16.120 All sales to be from temporary stands.

All sales of common fireworks shall be from temporary stands, which shall not be erected prior to the 18th day of June of any year and which shall be removed or torn down not later than the 16th of July of the same year. (*Ord 674 §12, 1985*)

9.16.130 Standards for fireworks stands.

The fireworks stands of all those persons engaging in the sale of common fireworks pursuant to a permit issued under this chapter shall conform to the following minimum standards and conditions:

1. Fireworks stands shall comply with all provisions of the building code and shall be constructed in such a manner so as not to endanger the safety of attendants and patrons.
2. No fireworks stand shall be located within fifty feet of any other building or structure, or closer than twenty-five feet from any sidewalk.
3. Each fireworks stand must have at least two exits which shall be unobstructed at all times, and doors to swing out.
4. Each fireworks stand shall have in a readily accessible place, at least two fire extinguishers approved by the Fire Chief, one to be a two and one-half gallon water extinguisher and the other to be 2A 10BC.
5. All weeds, grass and combustible material shall be cleared from the location of the fireworks stand and the surrounding area a distance of not less than twenty feet, measured from the exterior walls on each side of the fireworks stand.
6. No smoking shall be permitted in or near a fireworks stand, and the same shall be posted with a sign of two inch high red letters on a white background indicating: "No Smoking within 25 feet."
7. Each fireworks stand shall have an adult in attendance at all times that the stand is stocked. Stock from the stand shall not be removed or stored in any other building during the sales period without the express written approval of the fire chief.
8. No fireworks stand shall be located within a radius of five hundred feet from any other stand.
9. Each fireworks stand shall have provision for sufficient off-street parking, in the opinion of the fire chief, to avoid impeding continuous flow of traffic at entrances and exits from the premises, and will provide barricades, ropes or other similar means to prevent vehicles from parking within twenty-five feet of the fireworks stand.
10. Each fireworks stand shall post prominently a list of fireworks that may be sold to the public.
11. No fireworks shall be discharged within one hundred feet of the fireworks stand. (*Ord 674 §13, 1985*)

9.16.140 Fire nuisance where fireworks kept prohibited.

No person shall allow any rubbish to accumulate in any premises where any fireworks are sold or stored or permit a fire nuisance to exist on such premises. (*Ord 674 §14, 1985*)

9.16.150 Approved storage facilities required.

It shall be unlawful for any person to store unsold stocks of fireworks remaining unsold after the lawful period of sale as provided in his permit except in such places of storage as the Fire Chief shall approve. Unsold stocks of fireworks remaining after the authorized retail sales period from twelve noon on June 28th to twelve noon on July 6th shall be returned on or before July 31st of the same year to the approved storage facilities of a licensed fireworks wholesaler, to a magazine or storage place approved by the Fire Chief or to a place approved by the State Fire Chief. Upon receiving a written application at least ten days prior to the date of proposed storage, the Fire Chief shall investigate whether the character and location of the storage would constitute a hazard to any property or be dangerous to any person. Based upon the investigation, the fire chief may grant or deny any application for storage or to subject the same to such reasonable conditions, if any, as he shall prescribe. (*Ord 674 §15, 1985*)

9.16.160 Unlawful possession.

The possession of any class or kind of fireworks in violation of the provisions of this chapter is prohibited. (*Ord 674 §16, 1985*)

9.16.170 Sales or transfers of special fireworks.

No person shall sell or transfer any special fireworks to any person who is not a fireworks permittee as provided by this chapter. (*Ord 674 §17, 1985*)

9.16.180 Manufacture or sale of fireworks for out of state shipment.

This chapter does not prohibit any manufacturer, wholesaler, dealer, or jobber, having a license issued by the State Fire Marshal and a permit secured under the provisions of this chapter from manufacturing or selling any kind of fireworks for direct shipment out of this state. (*Ord 674 §18, 1985*)

9.16.190 Special effects for entertainment media.

This chapter does not prohibit the assembling, compounding, use or display of special effects of whatever nature by a person engaged in the production of motion pictures, radio, or television productions, theatricals or operas when such use and display is a necessary part of the production and such person possesses a valid permit issued by the City to purchase, possess, transport or use such fireworks. (*Ord 674 §19*)

9.16.200 Nonprohibited acts – Signal purposes.

This chapter does not prohibit the use of flares or fuses in connection with the operation of motor vehicles, railroads, or other transportation agencies for signal purposes or illumination. (*Ord 674 §20*)

9.16.210 Revocation or suspension of permit.

A. Authority. The Fire Chief may at any time suspend or revoke any permit issued under the provisions of this chapter, if the permittee has:

1. Violated any of the provisions of this chapter by the person holding such permit or any of his agents or employees;
2. Made any false statement or misrepresentation of fact in connection with obtaining the permit;
3. Failed to obtain or has had any license required by the state of Washington to engage in any act prohibited by RCW Chapter [70.77](#) or this chapter to be done without a license, suspended or revoked; or
4. Has had any insurance coverage required by this chapter canceled, revoked or lapsed.

B. Effective Date of Revocation. When the Fire Chief determines that there is cause for revoking or suspending any permit issued pursuant to this chapter, the fire chief shall notify the person holding such permit. The notice shall specify the grounds for the suspension or revocation of the permit. The suspension or revocation shall become effective immediately upon receipt of the notice by the permittee.

C. Appeal. The decision of the Fire Chief with respect to the revocation or suspension of any permit issued under this chapter shall be final. Any permittee whose permit is suspended or revoked may appeal the decision of the Fire Chief to the City Council by filing such appeal within ten days of the date of the final decision of the Fire Chief. This shall be the exclusive remedy of any permittee under this chapter. (*Ord 674 §21, 1985*)

9.16.220 Reckless discharge or use prohibited.

It is unlawful for any person to discharge or use fireworks in a reckless manner which creates a substantial risk of death or serious physical injury to another person or damage to the property of another. (*Ord 674 §22, 1985*)

9.16.230 Violation – Civil penalty.

Any person violating any provision of this chapter shall be deemed to have committed a civil infraction and shall be punished as provided in Section [1.01.110\(A\)](#) of the Quincy Municipal Code. (*Ord 674 §23*)

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The Quincy Municipal Code is current through Ordinance 23-589, passed January 3, 2023.

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

City Website: <https://quincywashington.us/>

City Telephone: (509) 787-3523

[Code Publishing Company](#).