

**CITY OF BURIEN  
WASHINGTON  
ORDINANCE NO. 205**

---

**AN ORDINANCE OF THE CITY OF BURIEN,  
WASHINGTON, CALLING FOR A BINDING ELECTION  
ON WHETHER TO BAN THE SALE, USE AND  
DISCHARGE OF FIREWORKS IN THE CITY AT ALL  
TIMES, AND PROVIDING AN EXCEPTION FOR PUBLIC  
DISPLAYS AND CERTAIN RELIGIOUS ACTIVITY**

WHEREAS, the City Council desires to place the issue before the voters of whether to ban the sale, use, and discharge of fireworks, except for public displays and certain religious activity;

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

Section 1. Call for Special Election. The City shall hold a binding election on the November 4, 1997, General Election date regarding a ban on the sale, use, and discharge of fireworks within the City of Burien, and providing for exceptions for public displays and certain religious activity.

Section 2. Ballot Title and Explanatory Note. The ballot title and explanatory note shall read as follows:

**Ballot Title:**

CITY OF BURIEN PROPOSITION NO. 1

Shall the sale, use, and discharge of fireworks be prohibited within the City of Burien, except as authorized by state law and City permit granted by the local fire official for public displays, or as authorized by state law for use by individuals or groups for religious purposes on approved dates and at approved locations?

Yes  No

**Explanatory Note:**

The ordinances of the City of Burien currently allow for the sale of common or "safe and sane" fireworks on June 28 between 12:00 noon and 11:00 p.m., and from June 29 to July 4, between 9:00 a.m. and 11:00 p.m. The discharge of common fireworks is only allowed on July 4 between 9:00 a.m. and 12:00 midnight. Public displays of fireworks, and the use of fireworks for certain religious purposes, is also permitted under current law.

AUG 14 1997

The Burien City Council has heard many divergent opinions from citizens as to whether the sale, use and discharge of fireworks should be totally banned within the City at all times of the year, except at public displays and for certain bona fide religious purposes. If this measure passes, the ban will become effective one year after the election results are certified, and the sale, use and discharge of fireworks will be prohibited at all times within the City of Burien, except for permitted public displays and certain religious purposes.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11 DAY OF AUGUST, 1997.

CITY OF BURIEN

Arun Jhaveri  
Arun Jhaveri, Mayor

ATTEST/AUTHENTICATED:

Janie Hubbard  
Jan Hubbard, City Clerk

Approved as to form:

Michael R. Kenyon  
Michael R. Kenyon, City Attorney

Filed with the City Clerk: August 4, 1997  
Passed by the City Council: August 11, 1997  
Ordinance No. 205  
Date of Publication: August 16, 1997