

CITY COUNCIL WORKSHOP MEETING AGENDA



City of Lake Stevens Vision Statement

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

April 2, 2024 - 6:00 PM

In Person: The Mill, Sawyers Room, 1808 Main Street, Lake Stevens
or Join Zoom Meeting: <https://lakestevenswa.zoom.us/j/89293919916>
or call in at (253) 215-8782 Meeting ID 89293919916

- 1. Call to Order**
- 2. Discussion Items**
 - A. Fireworks Research Jeffrey Beazizo
 - B. First Quarter Planning and Community Development Report Russ Wright
 - C. 2024 Budget Amendment No. 1 Barb Stevens
 - D. Stormwater Fees Shannon Farrant
- 3. Executive Session - Confidential Session of the Council**
 - A. Discussion of Potential Litigation per RCW 42.30.110. No action is expected after the session.
- 4. Adjourn**

THE PUBLIC IS INVITED TO ATTEND

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

NOTICE: All proceedings of this meeting are audio recorded, except Executive Sessions.

CITY COUNCIL STAFF REPORT



Agenda Date: 4/2/2024

Subject: Fireworks Research

Contact Person/Department: Jeffrey Beazizo, Police Department

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

At Council's request staff has been researching and gathering ordinances and information on what other cities are doing regarding fireworks and enforcement. The information below was extracted from a large spreadsheet used to catalog and compare the data. Copies of ordinances and procedures are attached to this staff report as well as police enforcement information gathered via email by Police Chief Beazizo.

Next steps in the fireworks discussion and recommendations:

1. Fireworks in City Parks – update Chapter 10.03.100 to include no fireworks (ALL) possession or discharge is allowed in City Park unless permitted and allowed by director
2. Fireworks on City Property – update 9.64 to include no fireworks possession or discharge is allowed on any other city property (i.e, Civic Property, PW, City Hall) except the Police Department for destruction, storage, and evidence.
3. Definition of Consumer Firework – Update definition to list out specific consumer grade fireworks that will be allowed (see City of Bothell for example) - this helps enforcement by clearly outlining which consumer fireworks are allowed. Current definition is difficult to understand and hard to enforce.
4. Update 9.64.060 to civil penalty for possession of any consumer fireworks not listed in the definition. First offense \$250 Second \$500 and third offense within 5 years a misdemeanor. We have to leave possession of illegal fireworks as misdemeanor as per RCW
5. Approximate Costs Emphasis patrols on holiday – currently CBA bargaining is underway so subject to change - Example 2 officers per car/2 cars – approx. \$120 per officer per hour x 6 hours = \$720 X 6 hours = \$4,320 minimum

Arlington

[Attachment-H \(arlingtonwa.gov\)](http://arlingtonwa.gov)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
			<u>X</u>	<u>X</u>

Police Enforcement Notes: None

Edmonds

[Ordinance 4194 \(edmondswa.gov\)](http://edmondswa.gov)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>

Police Enforcement Notes:

The Italicized text below is the email we send to staff in early June as we prepare for fireworks related activity leading up to July 4. It also serves as a reminder of our fireworks enforcement procedures and philosophy.

We deploy overtime fireworks enforcement units from June 30, to July 4. It is two officers working in separate cars each night from 2130-0130. Their primary function is to respond to fireworks calls for service, secondarily perform active patrol and initiate fireworks related

investigations and tertiary, assist patrol.

We do not as a rule, deploy the enforcement units on new years eve.

As the Fourth of July holiday fast approaches, we want to remind staff of our goals as it relates to fireworks enforcement. We traditionally see an uptick in the sale and use of fireworks around the July 4th holiday. The goal, as always, is to eliminate or reduce fires and injuries created by the use of fireworks, in addition to eliminating noise complaints and animal welfare issues. To that end, please be mindful of our municipal code enforcement responsibilities. We have posted some OT shifts in PowerTime as we get closer to the holiday, however fireworks calls will no doubt be a part of every shift, all day. I encourage everyone to use education and enforcement with regards to dispatched calls, on-view situations, and contacts related to fireworks. The below information provides some guidance for writing citations under the ordinance:

OFFENSE

As a reminder, under EMC 5.27, it is unlawful for any person to sell, possess, use, transfer, discharge, ignite or explode any fireworks within the city. In addition, any fireworks that are involved in the violation may be confiscated (5.27.210.B).

- First Offense IN \$500
- Second+ Offense w/in 5 years Misd \$1,000

CITING/CHARGING

Last year, there was an issue with the EMC not being correct in SECTOR. I just received a call from SECTOR. They are pushing through an update that will take effect July 3rd. The codes will be correct by that date, as long as you update.

In the meantime, you will need to manually overwrite the penalty to \$500 (for a first-time offense)

Police Overtime Shifts: YES

Everett

[Ordinance 3887-22](#) | [Everett Municipal Code](#)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>

Police Enforcement Notes:

Fireworks Suppression

The Everett Police Department will conduct dedicated Fireworks Suppression patrols to curtail illegal fireworks activities that result in noise complaints, injuries, and fires that threaten the community. Officers assigned to the Fireworks Suppression Detail will respond to dispatched fireworks complaints and, when available, proactively ensure compliance with the city's fireworks ordinance. A zero-tolerance approach to fireworks violations is strongly encouraged, however officers may still use discretion and common sense in their contacts.

Fireworks that are seized must be documented by a report. Seized fireworks that are not accompanied by an infraction may be documented throughout the night on a single report.

Sgt. Coleman (our bomb tech) will be responsible for completing a case report for the evening. For each seizure, the Fireworks Suppression officer shall complete a supplemental report, and add a paragraph to their narrative outlining the nature of the contact, describing the fireworks seized, as well as what the officer did with the fireworks. If an infraction is used, photographs are not required as long as the fireworks are clearly described in the SECTOR narrative.

If fireworks are seized but no charges will be filed, the fireworks may be photographed at the officer's discretion.

Fireworks Disposal will be conducted according to section 3.26 FIREWORKS DISPOSAL of the procedure manual, listed below.

A bomb disposal unit should be called for any unusually large firework or for any improvised or homemade device. Such fireworks should not be handled or transported by any officer. These should be considered and treated as improvised explosive devices. Criminal charges will likely be appropriate in these situations. Contact sector sergeant or response team supervisor for bomb team response (through Sgt. Coleman or Sno911).

EMC16.60.090 Discharge of fireworks prohibited.

A. No person may discharge fireworks at any place within the city limits of Everett except as authorized by this chapter; provided, that consumer fireworks and such audible ground devices as firecrackers, salutes and chasers may be purchased and/or used by religious organizations or private organizations or persons if purchased from a licensed manufacturer, importer, or wholesaler for use on prescribed dates and locations, for religious or specific purposes, upon obtaining a permit therefor from the city fire marshal or his designee pursuant to Section 16.60.030(B). A violation of this section shall be punished as follows:

B. Except as otherwise provided in subsection C of this section, violation of this section is a non-traffic infraction, punishable by a fine of two hundred fifty-seven dollars. All public safety and education assessments (PSEA) required by state law shall be added to the base penalty described herein. Remission of PSEA money shall be as set forth in state law and cannot be suspended or waived. Municipal court judges and judges pro tem shall have discretion to assess additional penalties for failure to pay or respond to notices of infraction issued under this section as otherwise allowed by law.

C. Any person who violates this section a second or more time within a five-year period shall be

guilty of:

1. A misdemeanor if the amount of fireworks possessed involved less than one pound of fireworks, exclusive of external packaging; or

2. A gross misdemeanor if the amount of fireworks possessed involved one pound or more of fireworks, exclusive of external packaging.

D. A record of arrest in any local, state or federal database shall constitute prima facie proof of a previous violation for purposes of determining the penalty for violation of this section.

EMC16.60.140 Possession of fireworks prohibited.

A. Unless otherwise allowed under the provisions of this chapter, it is unlawful to possess any class or kind of fireworks within the city limits of Everett. A violation of this section shall be punished as follows:

B. Except as otherwise provided in Chapter 16.03 EMC or RCW 70.77.485, violation of this section is a nontraffic infraction, punishable by a fine of two hundred fifty dollars. All public safety and education assessments (PSEA) required by state law shall be added to the base penalty described herein. Remission of PSEA money shall be as set forth in state law and cannot be suspended or waived. Municipal court judges and judges pro tem shall have discretion to assess additional penalties for failure to pay or respond to notices of infraction issued under this section as otherwise allowed by law. (Ord. 3796-21 § 5, 2021; Ord. 3076-08 § 12, 2008; Ord. 2179-96 § 4, 1996; Ord. 1041-84 § 13, 1984.)

3.26 FIREWORKS DISPOSAL

Fireworks are not to be impounded as evidence and will not be taken to the property room.

The following procedure will apply when disposing of small, commercially manufactured fused/non self-igniting fireworks:

There are two blue metal storage boxes in the bay south of the car wash at the service center. The boxes are marked "Fireworks Only." The boxes are locked but can be opened with an EF1 key. Inside the metal box is a wooden box for the fireworks. The wooden boxes are for temporary storage of small, commercially manufactured fireworks that are not likely to detonate unless intentionally ignited.

Fireworks can be placed inside the wooden boxes and secured. Fireworks should never be forced or pressured into a space in the box, nor should the box ever be closed using pressure to shut an overfilled box. Pressure can cause ignition. If the fireworks won't fit in the box because of the size of the firework or because the box is too full, the officer will contact a bomb technician through the callout procedure and turn the fireworks over to the bomb technician.

The following items will not be placed inside of the boxes: o Ammunition: ammunition should be taken to the property room for disposal later by the bomb team.

Flares: flares should be put in the yellow locker at the service center marked "flares" and the flares should be clearly marked for disposal. The locker will be monitored by a bomb technician and removed as needed. An officer can send an e-mail notification to the bomb technicians to assist in quicker removal if needed.

Improvised Explosive Devices (IED): IED's should be left where found and a bomb technician called to secure the device.

Any firework containing a charge larger than an M80 (app. 1.5 inches in length): M80's can be secured in the box if handled safely, not dropped into the box, and the box can be closed without creating pressure. Anything larger than an M80 will require callout of a bomb technician, and

officers should evaluate if the firework should be left where found rather than transported to meet the bomb technician.

Self-detonating devices: Self-detonating devices such as noisemaking fireworks known as “Pop-Its” are safe to handle, but because they detonate by pressure they cannot be stored in the boxes with fireworks as they present an ignition hazard. The “pop-its” may be placed inside the metal box, but left on top of the wooden lid inside the metal storage container. They are not to be mixed inside the inner wooden fireworks storage box where fireworks are kept!

If officers are in doubt as to any item they believe to be an explosive device and how the device/firework should be handled, they will request a supervisor to assist them and consider calling a bomb technician for a consultation and/or response.

Only a bomb technician shall handle or transport any device that is homemade (an improvised explosive device). These devices are commonly seen as tennis balls, homemade M-80’s or larger, pop cans with fuses, or whatever can be imagined. They are very unstable, usually constructed with flash powder, and

Lynnwood

[Ch. 9.12 Fireworks | Lynnwood Municipal Code](#)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
			<u>X</u>	<u>X</u>

Police Enforcement Notes:

We try to do a media blast and the hanging of signage in the city in the weeks prior to the 4th reminding people that fireworks are illegal. In terms of enforcement, it is a misdemeanor in our town. What makes it challenging is the enforcement (misdemeanor presence requirement- usually it’s a group of people standing around fireworks near the street) barriers. There is a lot of education and a lot of warning however relatively little enforcement.

I like Mukilteo’s having the ability to write an infraction.

We don’t usually staff an additional officer(s) for fireworks patrol in recent years because staffing has been so poor and the 4th is usually a busy night for us already.

Police Overtime Shifts: No

Marysville

[City of Marysville O-2409 - Fireworks.pdf](#)

<u>City Wide</u> _(if marked with an "X" the activity is unlawful)			<u>Parks</u> _(if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	

Police Enforcement Notes:

Included in the packet

Mill Creek

[Chapter 5.12 FIREWORKS \(codepublishing.com\)](#)

<u>City Wide</u> _(if marked with an "X" the activity is unlawful)			<u>Parks</u> _(if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
			<u>X</u>	<u>X</u>

Police Enforcement Notes:

We do not have special patrols for fireworks complaints or enforcement.

We do have a Muni Code that is seldom enforced as it is a misd. in Mill Creek to possess, sell, or ignite fireworks.

Police Overtime Shifts: No

Monroe

Not banned/regulated

<u>City Wide</u> _(if marked with an "X" the activity is unlawful)			<u>Parks</u> _(if marked with an "X" the activity is unlawful)	

<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
				<u>X</u>

Police Enforcement Notes:

Monroe does not have an enforcement plan or prohibition against fireworks. We do, however have extra patrol staffing on both the 4th and New Year's.

Police Overtime Shifts: No

Mukilteo

[Chapter 8.04 SALE OF FIREWORKS \(codepublishing.com\)](#)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
			<u>X</u>	

Police Enforcement Notes:

We just changed our municipal code from a misdemeanor to a civil infraction for the first two offenses and a misdemeanor for the third offense within 36 months. In addition the infraction can be issued to the property owner, or the person lighting the fireworks off. We found that officers were hesitant to write someone a criminal citation for fireworks, and therefore, we were doing nothing but warnings. We also created a clause that would allow an officer to go directly to a misdemeanor for an egregious offense.

Bothell

[Ch. 8.37 Fireworks | Bothell Municipal Code](#)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	

<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
			<u>X</u>	<u>X</u>

Police Enforcement Notes:

We do not do extra enforcement. We have done some educational patrols on July 4th but not New Years. The push has been for Fire to respond as needed and PD of course responds if there is something above and beyond, like intentionally damaging property or attempting to harm someone with fireworks.

Shoreline

[635180312688300000 \(shorelinewa.gov\)](https://www.shorelinewa.gov/635180312688300000)

[Chapter 9.15 FIREWORKS* \(codepublishing.com\)](#)

<u>City Wide</u> (if marked with an "X" the activity is unlawful)			<u>Parks</u> (if marked with an "X" the activity is unlawful)	
<u>Sale</u>	<u>Possession</u>	<u>Use</u>	<u>Possession</u>	<u>Use</u>
<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Police Enforcement Notes: None

SUMMARY/BACKGROUND:

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. City of Arlington 2020-011
2. Chapter 8.37 Bothell MC
3. City of Edmonds Ordinance 4194
4. City of Marysville O-2409 - Fireworks
5. City of Marysville Ordinance_Penalty
6. Mukilteo Ord-763 Fireworks Ban
7. MukilteoOrd-807 Fireworks Possession
8. Mukilteo Ord 1307 Fireworks Code Amend-Sky Lanterns (1)
9. City of Shoreline Ordinance 141
10. WSP-Consumer-Fireworks-Legal-in-Washington
11. WSP-dhs-doj_bomb_threat_stand-off_card (WSP BOMB)
12. WSP-Fireworks and Improvised Firework Devices Ongoing Threat to FR- June 2022 (WSP Bomb Squad)
13. WSP-Fireworks When-to-Call-911
14. WSP-Fireworks-Handle-with-Care-Infographic
15. WSP-Fireworks-Restricted-Sales-and-Discharge-Periods
16. WSP-Illegal-Fireworks-and-Explosives-Poster-1
17. WSP-Media Release - Consumer Fireworks Sales

18. WSP Firework Annual Announcement to Agencies

ORDINANCE NO. 2020--011

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING AND REPEALING CERTAIN SECTIONS OF THE ARLINGTON MUNICIPAL CODE
CHAPTER 15.16 PERTAINING TO FIREWORKS

WHEREAS, state law and the municipal code currently permit the possession and use of many consumer fireworks; and

WHEREAS, for many years the city and its elected officials have received numerous complaints regarding the discharge of both legal and illegal fireworks; and

WHEREAS, the complaints include complaints about excessive noise, fire hazards, cleanup and safety risks created by the discharge of fireworks; and

WHEREAS, on August 5, 2019, the City Council adopted Resolution 2019-015 requesting the Snohomish County Auditor to place the following proposition on the November 2019 ballot as an advisory measure:

Should the City Council of Arlington ban the possession, sale and discharge of all fireworks within the City of Arlington?

WHEREAS, on November 5, 2019, Proposition 1 appeared on the ballot and was approved by voters with 50.7% voting in favor of the measure; and

WHEREAS, the Council believes that prohibiting fireworks would enhance the health, safety, and welfare of the public; and

WHEREAS, chapter 70.77 RCW authorizes cities to adopt fireworks ordinances that are more restrictive than state law, but such ordinances may only become effective one year after their adoption;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ARLINGTON, WASHINGTON AS FOLLOWS:

Section 1. Arlington Municipal Code section 15.16.010 shall be and hereby is amended to read as follows:

15.16.010 - Intent.

It is expressly the purpose of this ordinance to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should

be especially protected or benefited by the terms of this ordinance. It is the specific intent of this ordinance that no provision or term used in this ordinance is intended to impose any duty whatsoever upon the city or any of its officers or employees. Nothing contained in this ordinance is intended nor will be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this ordinance by its officers, employees or agents.

Section 2. Arlington Municipal Code section 15.16.030 shall be and hereby is amended to read as follows:

15.16.030 - Definitions.

The definitions of chapter 70.77 RCW, as now enacted or subsequently amended, are adopted by reference and shall govern the construction of this chapter, when applicable.

Section 3. Arlington Municipal Code section 15.16.040 shall be and hereby is amended to read as follows:

15.16.040 - Possession, use and discharge of fireworks unlawful.

A. It is unlawful for any person to possess, use, sell, transfer, discharge, ignite, or explode any fireworks within the city; provided that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

1. Duly authorized public displays, as provided in chapter 70.77 RCW; and
2. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311, and authorized by the Arlington fire marshal.

B. Trick and novelty devices, as defined by state law, are not fireworks for the purposes of this chapter.

C. This chapter does not prohibit the use of torpedoes, flares, or fuses by motor vehicles, railroads, or other transportation agencies for signal purposes or illumination or for use in forest protection activities.

Section 4. Arlington Municipal Code section 15.16.050 shall be and hereby is amended to read as follows:

15.16.050 - Public displays, when permitted.

It is unlawful for any person to hold, conduct or engage in a public display of fireworks within the city without first having obtained and being the holder of a valid permit issued pursuant to the provisions of this chapter.

Section 5. Arlington Municipal Code section 15.16.060 shall be and hereby is amended to read as follows:

15.16.060 - Public display permit—applications, permits.

A person desiring to make a public display of fireworks shall apply in writing for a permit to hold, conduct or operate a public display of fireworks to the Arlington fire marshal at least sixty (60) days prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of fireworks and all fire and safety requirements as set forth in the standards for public display. Applicants shall pay permit fees as required by the city fee resolution.

The application must include:

- (1) a copy of the applicant's Washington state pyrotechnic operator license (or the pyrotechnic operator license of the applicant's employee who will conduct the public display);
- (2) evidence of a bond issued by an authorized surety or a certificate of public liability insurance;
- (3) a drawing showing a plan view of the fireworks discharge site and the surrounding area within a 500-foot radius;
- (4) the exact location, date and time of the proposed display; and
- (5) the number, type and class of fireworks to be displayed, the manner in which the fireworks are being stored prior to the public fireworks display.

The fire marshal shall investigate whether the character and location of the display as proposed would be hazardous to property or dangerous to any person.

The fire marshal may grant a permit, deny the same, or impose other requirements on the applicant as needed to protect the public safety.

Section 6. Arlington Municipal Code section 15.16.070 shall be and hereby is amended to read as follows:

15.16.070 - Public display permits--transfer .

Each public display permit issued pursuant to this chapter shall be valid for the specific authorized public display event only, 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 granted in

addition to all other sanctions provided in this code.

Section 7. Arlington Municipal Code section 15.16.080 shall be and hereby is amended to read as follows:

15.16.080 - Violation penalties.

A. Any person possessing, using, discharging, igniting, or exploding any consumer firework in violation of this chapter has committed a civil infraction.

1. For a period of 365 days after the effective date of this ordinance, a violation of this subsection shall be a class 3 civil infraction.
2. For the period beginning on the 366th day after the effective date of this ordinance until the 730th day after the effective date of this ordinance, a violation of this subsection shall be a class 2 civil infraction.
3. Beginning on the 731st day after the effective date of this ordinance, a violation of this subsection shall be a class 1 civil infraction.
4. The penalties and assessments for each class of infraction shall be as set by state law. Base penalties shall be as set forth in RCW 7.80.120 as now enacted or subsequently amended. Public Safety and Education Assessments shall be as set forth in RCW 3.62.090 as now enacted or subsequently amended. The base penalty amounts and Public Safety and Education Assessments at the time of the adoption of this ordinance are shown in the table below. The table is for illustrative purposes only and the amount of the base fine and the Public Safety and Education Assessments shall be as provided by state law.

Class	Base penalty per RCW 7.80.120	Public Safety and Education Assessment per RCW 3.62.090(1)	Public Safety and Education Assessment per RCW 3.62.090(2)	Total Fine
Class 1	250	175	88	513
Class 2	125	88	44	257
Class 3	50	35	18	103

B. Any person selling or transferring any consumer firework in violation of this chapter is guilty of a misdemeanor.

C. Any person possessing, using, selling, transferring, discharging, igniting, or

exploding any display firework in violation of this chapter is guilty of a gross misdemeanor.

D. Any person possessing, using, selling, transferring, discharging, igniting, or exploding any dangerous firework, as defined by state law, is guilty of a gross misdemeanor.

E. Any fireworks that are possessed or used in violation of this chapter may be confiscated.

Section 8. Arlington Municipal Code sections 15.16.090 through 15.16.150 shall be and hereby are repealed.

Section 9. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 10. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force one year after publication pursuant to RCW 70.77.250(4).

PASSED BY the City Council and APPROVED by the Mayor this 18th day of May, 2020.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

Attest:

Wendy Van Der Meersche
City Clerk

Approved as to form:

Steven J. Peiffle
City Attorney

Chapter 8.37

FIREWORKS*

Sections:

- 8.37.010** **Definitions.**
- 8.37.020** **Acts prohibited without a permit.**
- 8.37.030** **Application for permit.**
- 8.37.040** **Investigation, report on permit application.**
- 8.37.050** **Fire chief may grant or deny permit – Conditions.**
- 8.37.060** **License required prior to issuance of permit.**
- 8.37.070** **Public display permit – Granted for exclusive purpose – Nontransferable.**
- 8.37.080** **Supervision of public displays.**
- 8.37.090** **Permit authorizes activities of sellers, employees.**
- 8.37.100** **Sale and use of fireworks prohibited – Exceptions.**
- 8.37.105** **Exceptions.**
- 8.37.110** *Repealed.*
- 8.37.120** *Repealed.*
- 8.37.130** *Repealed.*
- 8.37.140** **Fire nuisance where fireworks kept prohibited.**
- 8.37.150** *Repealed.*
- 8.37.160** **Unlawful possession.**
- 8.37.165** *Repealed.*
- 8.37.170** **Sales or transfers of display fireworks.**
- 8.37.180** **Manufacture or sale of fireworks for out-of-state shipment.**
- 8.37.190** **Special effects for entertainment media.**
- 8.37.200** **Nonprohibited acts – Signal purposes, forest protection.**
- 8.37.210** **Revocation or suspension of permit.**
- 8.37.215** *Repealed.*
- 8.37.220** **Reckless discharge or use prohibited.**
- 8.37.221** *Repealed.*
- 8.37.225** **Enforcement.**
- 8.37.230** **Penalties for violation.**
- 8.37.240** **Violation a separate, continuing offense.**

* For statutory provisions on fireworks, see Chapter [70.74](#) RCW.

8.37.010 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 or an equivalent state or local governmental agency.

“APA 87-1A” means the current edition of the American Pyrotechnic Association Standard No. 87-1A.

“Articles pyrotechnic” means pyrotechnic devices for professional use similar to consumer fireworks in chemical composition and construction but not intended for consumer use which meet the weight limits of consumer fireworks but which are not labeled as such and which are classified as UN0431 or UN0432 by the United States Department of Transportation at [49](#) C.F.R. Section [172.101](#) as of July 24, 2002.

“Consumer fireworks” means any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission, as set forth in [16](#) C.F.R. Parts [1500](#) and [1507](#) and including some small devices designed to produce audible effects, such as whistling devices, ground devices containing 50 milligrams or less of explosive materials, and aerial devices containing 130 milligrams or less of explosive materials and classified as fireworks UN0336 by the United States Department of Transportation at [490](#) C.F.R. Section [172.101](#) as of July 24, 2002, and not including fused setpieces containing components which together exceed 50 milligrams of salute powder.

“Display fireworks” means large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation and includes, but is not limited to, salutes containing more than two grains (130 milligrams) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as “consumer fireworks” and are classified as fireworks UN0333, UN0334, or UN0335 by the United States Department of Transportation at [49](#) C.F.R. Section [172.101](#) as of July 24, 2002, and including fused setpieces containing components which exceed 50 milligrams of salute powder.

“Fire chief” means the chief administrative officer of the fire department and/or designee who shall be the local fire official for purposes of Chapter [70.77](#) RCW.

“Fire nuisance” means any thing 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 designed to produce a visible or audible effect by combustion, deflagration or detonation, and which meets the definition of articles pyrotechnic or consumer fireworks or display fireworks.

“License” means a nontransferable formal authorization which the chief of the Washington State Patrol, through the director of fire protection, is authorized to issue under Chapter [70.77](#) RCW to engage in the act specifically designated therein.

“Licensee” means any person issued a fireworks license in conformance with Chapter [70.77](#) RCW.

“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 or persons who assemble consumer fireworks items or sets of packages containing consumer fireworks items.

“Novelty smoke device” means a nonaerial device that produces only smoke, does not emit a percussive sound when used, and remains on the ground during use. All novelty smoke devices must meet the applicable requirements set out in APA 87-1A.

“Party popper” means a nonaerial device that is actuated by means of friction. Pulling the string or trigger activates the device, which produces a noise effect and releases paper streamers or confetti. All party poppers must meet the applicable requirements set out in APA 87-1A.

“Permit” means the official authorization granted by the city for the purpose of doing any act which is regulated by this chapter.

“Permittee” means any person issued a fireworks permit in conformance with Chapter [70.77](#) RCW.

“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 or could be admitted or permitted to view the display or discharge of display fireworks.

“Pyrotechnic operator” includes any individual who by experience and training has demonstrated the required skill and ability for safely setting up and discharging display fireworks.

“Retailer” includes any person who, at a fixed location or place of business, offers for sale, sells, or exchanges for consideration consumer fireworks to a consumer or user.

“Snake” means a device in the form of a pressed pellet of chemical composition that upon burning produces a snake-like ash that expands in length as the pellet burns. Snakes are not aerial, do not emit a percussive sound when used, and remain on the ground during use. All snakes must meet the applicable requirements set out in APA 87-1A.

“Snapper” means a paper or plastic wrapped device that contains silver fulminate coated on small bits of sand or gravel that, when dropped, activates and produces a noise effect. All snappers must meet the applicable requirements set out in APA 87-1A.

"Sparkler" includes all of the following types of devices defined in APA 87-1A: "novelty flitter sparkler"; "novelty wire sparkler or novelty dipped stick"; "flitter sparkler"; and "wire sparkler or dipped stick." Each device must meet the applicable requirements set out in APA 87-1A.

"Tank" means a small paper device that, when lit, emits sparks that causes it to move around on the ground and emit a percussive sound. Tanks are not aerial and, in design, resemble a vehicle or conveyance.

"Trick and novelty devices" or "novelties" means any small device that the United States Department of Transportation does not regulate as an explosive and does not classify as either a consumer firework or a display firework; except that the term does not include any type of sparkler.

"Wholesaler" includes any person who sells fireworks to a retailer or any other person for resale and any person who sells display fireworks to public display permittees. (Ord. 2376 § 1, 2021; Ord. 2357 § 1, 2021; Ord. 2190 § 1 (Exh. A), 2016; Ord. 1878 § 1, 2002; Ord. 1594 § 1, 1995; Ord. 1127 § 2, 1984).

8.37.020 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:

- A. Manufacture, import, possess, or sell, at wholesale or retail, any fireworks, including agricultural and wildlife fireworks, for any use; provided, however, that no permit is required for the possession or discharge of the consumer fireworks listed in BMC [8.37.105](#);
- B. Discharge display fireworks at any place;
- C. Make a public display of fireworks; or
- D. Transport fireworks, except as a licensee or as a public carrier delivering to a licensee or permittee. (Ord. 2376 § 2, 2021; Ord. 2357 § 2, 2021; Ord. 1878 § 2, 2002; Ord. 1127 § 2, 1984).

8.37.030 Application for permit.

- A. Any person desiring to do any act set forth in BMC [8.37.020](#) 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. 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 and, for any retail operation, the person in charge and responsible;

2. A statement by the applicant that the applicant is over the age of 18 years;
 3. A valid and current license issued by the Chief of the Washington State Patrol, through the director of fire protection, pursuant to Chapter [70.77](#) RCW authorizing the applicant thereto to engage in the requested activity;
 4. The proposed location at which the applicant intends to perform the act for which the permit is sought.
- B. All applications for permits pursuant to this chapter shall be accompanied by a nonrefundable permit fee to be established by resolution of the city council. The city council finds that this charge is necessary to cover the legitimate administrative costs for permit processing and inspection. In accordance with RCW [70.77.311](#), no permit fee shall be assessed on permits for the use of fireworks for a religious purpose.
- 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 minimum coverage for bodily injury liability for each person and event, respectively, and property damage liability for each event in amounts approved by the city attorney. 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 the policy without 30 days' written notice to the city. The 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 10 days in advance of the proposed display. All applications shall be accompanied by a nonrefundable permit fee to be determined by resolution of the city council. The applicant shall post a \$2,500 cash bond, conditioned upon the prompt removal of all debris from the site within 24 hours of such display. Failure to do so shall cause the bond to be forfeited to the city. (Ord. 2357 § 3, 2021; Ord. 1878 § 3, 2002; Ord. 1306 §§ 19, 20, 1988; Ord. 1266 § 1, 1987; Ord. 1236 § 1, 1986; Ord. 1127 § 2, 1984).

8.37.040 Investigation, report on permit application.

It shall be the duty of the fire chief to make an investigation and prepare a report of the fire chief's findings and conclusions for or against the issuance of the permit, together with the 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. 1127 § 2, 1984).

8.37.050 Fire chief may grant or deny permit – Conditions.

The fire chief 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 the fire chief shall prescribe. (Ord. 1127 § 2, 1984).

8.37.060 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 chief of the Washington State Patrol, through the director of fire protection, pursuant to Chapter [70.77](#) RCW, to do the particular act or acts for which the permit is sought. (Ord. 1878 § 4, 2002; Ord. 1127 § 2, 1984).

8.37.070 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. 1127 § 2, 1984).

8.37.080 Supervision of public displays.

Every public display of fireworks shall be handled or supervised by a pyrotechnic operator approved by the fire chief. (Ord. 1127 § 2, 1984).

8.37.090 Permit authorizes activities of sellers, employees.

The authorization to engage in the particular act or acts as conferred by a permit to a person shall extend to sellers, authorized representatives, and other employees of such person. (Ord. 1878 § 5, 2002; Ord. 1127 § 2, 1984).

8.37.100 Sale and use of fireworks prohibited – Exceptions.

- A. No fireworks shall be sold, offered for sale, or exposed for sale within the city.
- B. No person shall ignite or discharge any fireworks anywhere within the city.
- C. No person shall discharge without a permit any fireworks upon any city-owned real property or within any publicly owned park.
- D. The prohibitions set out in subsections [A](#) and [B](#) of this section shall not apply in the following cases:
 - 1. Any public display of fireworks authorized under this chapter;
 - 2. Use for religious purposes pursuant to RCW [70.77.311](#);

3. Agricultural and wildlife fireworks used by government agencies as authorized by RCW [70.77.311](#);
4. The possession of the consumer fireworks listed in BMC [8.37.105](#) within the city during a four-day period each year commencing at 12:00 p.m. on July 1st and ending at 11:00 p.m. on July 4th; and
5. The discharge of the consumer fireworks listed in BMC [8.37.105](#) within the city between the hours of 9:00 a.m. and 11:00 p.m. on July 4th.

E. Except as herein provided, it is unlawful for any person to possess, store, offer for sale, sell at retail, use, explode, fire, ignite, or discharge any fireworks in the city. (Ord. 2376 § 3, 2021; Ord. 2357 § 4, 2021; Ord. 1878 § 6, 2002; Ord. 1651 § 1, 1996; Ord. 1594 § 2, 1995; Ord. 1465 § 2, 1992; Ord. 1266 § 2, 1987; Ord. 1127 § 2, 1984).

8.37.105 Exceptions.

A. The following consumer fireworks may be possessed or discharged within the city only during the time periods described in BMC [8.37.100](#):

1. Sparklers; and
2. Tanks.

B. Nothing in this chapter precludes the possession or discharge of any trick or novelty devices, which include the following:

1. Snakes;
2. Party poppers;
3. Snappers; and
4. Novelty smoke devices. (Ord. 2376 § 4, 2021).

8.37.110 Sales of consumer fireworks.

Repealed by [Ord. 2357](#).

8.37.120 All sales to be from temporary stands.

Repealed by [Ord. 2357](#).

8.37.130 Standards for fireworks stands.

Repealed by [Ord. 2357](#).

8.37.140 Fire nuisance where fireworks kept prohibited.

No person shall allow any combustibles to accumulate in any premises where any fireworks are sold or stored or permit a fire nuisance to exist on such premises. (Ord. 1878 § 10, 2002; Ord. 1127 § 2, 1984).

8.37.150 Approved storage facilities required.

Repealed by [Ord. 2357](#).

8.37.160 Unlawful possession.

The possession of any class or kind of fireworks in violation of the provisions of this chapter or Chapter [70.77](#) RCW is prohibited. (Ord. 1266 § 10, 1987; Ord. 1127 § 2, 1984).

8.37.165 Sale of fireworks to persons under 18 years of age prohibited.

Repealed by [Ord. 2357](#).

8.37.170 Sales or transfers of display fireworks.

No person shall sell or transfer any display fireworks to any person who is not a fireworks permittee as provided in this chapter. (Ord. 1878 § 12, 2002; Ord. 1127 § 2, 1984).

8.37.180 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 chief of the Washington State Patrol, through the director of fire protection, 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. 1878 § 13, 2002; Ord. 1127 § 2, 1984).

8.37.190 Special effects for entertainment media.

This chapter does not prohibit the assembling, compounding, use and display of special effects of whatever nature by any person engaged in the 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. 1127 § 2, 1984).

8.37.200 Nonprohibited acts – Signal purposes, forest protection.

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 or for use in forest protection activities. (Ord. 1127 § 2, 1984).

8.37.210 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 the person's 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 suspended or revoked any license required by the state of Washington to engage in any act prohibited by Chapter [70.77](#) RCW or this chapter to be done without a license; or
4. Has had any insurance coverage required by this chapter cancelled, 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 of 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 King County superior court. This shall be the exclusive remedy of any permittee under this chapter. (Ord. 2357 § 10, 2021; Ord. 1127 § 2, 1984).

8.37.215 Emergency fireworks ban sale and use.

Repealed by [Ord. 2357](#).

8.37.220 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. 1127 § 2, 1984).

8.37.221 Discharge of fireworks by person under 18 years of age.

Repealed by [Ord. 2357](#).

8.37.225 Enforcement.

The fire chief, or designee, is authorized to enforce all provisions of this chapter and, in addition to criminal sanctions or civil remedies, the fire chief may revoke any permit issued pursuant to this chapter upon any failure or refusal of the permittee to comply with the orders and directives of the fire chief or designee and/or to comply with any provisions of this chapter. (Ord. 1878 § 14, 2002; Ord. 1266 § 12, 1987).

8.37.230 Penalties for violation.

Any person violating any of the provisions of this chapter shall, upon a finding by a court of competent jurisdiction that such violation was committed, be subject to imposition of a fine and/or imprisonment as follows:

- A. Unlawful possession of fireworks weighing less than one pound, exclusive of external packaging, is a misdemeanor and shall be punishable by imprisonment for a period of not to exceed 90 days and/or payment of a fine not to exceed \$1,000.
- B. Unlawful possession of fireworks weighing one pound or more, exclusive of external packaging, is a gross misdemeanor and shall be punishable by imprisonment for a period of not to exceed 364 days and/or payment of a fine not to exceed \$5,000.
- C. Violation of the prohibition upon use or discharge of fireworks in a reckless manner is a gross misdemeanor and shall be punishable by imprisonment for a period of not more than 364 days and/or payment of a fine not to exceed \$5,000.
- D. A violation of the restrictions upon the sale of fireworks set forth in this chapter is a gross misdemeanor and shall be punishable by imprisonment for a period of not to exceed 364 days and/or payment of a fine not to exceed \$5,000.
- E. Any other violation of the provisions of this chapter is a misdemeanor and shall be punishable by imprisonment of up to 90 days and/or payment of a fine not to exceed \$1,000. (Ord. 2357 § 13, 2021; Ord. 1266 § 13, 1987).

8.37.240 Violation a separate, continuing offense.

A person commits a separate offense for each day during which the person commits, continues, or permits a violation of any provision of this chapter. (Ord. 1878 § 15, 2002; Ord. 1127 § 2, 1984).

The Bothell Municipal Code is current through Ordinance 2413, passed December 5, 2023.

Disclaimer: The city clerk's office has the official version of the Bothell Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ci.bothell.wa.us](http://www.ci.bothell.wa.us)

[Hosted by Code Publishing Company, A General Code Company.](#)

ORDINANCE NO. 4194

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PENALTIES ASSOCIATED WITH VIOLATING AND OTHERWISE UPDATING THE CITY'S FIREWORKS CODE

WHEREAS, the state fireworks law is set forth in chapter 70.77 RCW; and

WHEREAS, the City's fireworks regulations are codified in chapter 5.27 ECC; and

WHEREAS, the penalty for violating the City's fireworks regulation has not been updated since 1995; and

WHEREAS, recent experience during the Fourth of July holiday of 2020 suggests that the City may need to create stronger incentives to comply with the City's fireworks code; and

WHEREAS, other aspects of the City's fireworks regulations need to be updated;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN
AS FOLLOWS:

Section 1. Section 5.27.010 of the Edmonds City Code, entitled "Definitions," is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

The definitions of Chapter 70.77 RCW as now stated or hereafter amended shall govern the construction of this chapter, when applicable. RCW 70.77.120 through and including RCW 70.77.~~241~~230 as now stated or hereafter amended are adopted by this reference and a copy or the same shall be kept on file in the office of the city clerk for public use and inspection. In addition, the following term(s) are defined:

- A. "Dangerous fireworks" means any firework not defined as a "common firework" under the provisions of RCW 70.77.136.
- B. The "local fire official" for the purposes of chapter 70.77 RCW shall be the City's fire marshal.

Section 2. Section 5.27.020 of the Edmonds City Code, entitled “Sale, possession, use and discharge of fireworks unlawful,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

A. It is unlawful for any person to sell, possess, use, transfer, discharge, ignite or explode any fireworks within the city; provided that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

1.A. Duly authorized public displays, as provided in RCW 70.77.260; and

2.B. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2).

B. RCW 70.77.485, entitled “Unlawful possession of fireworks—Penalties,” RCW 70.77.540, entitled “Penalty,” RCW 70.77.515, entitled “Unlawful sales or transfers of consumer fireworks—Penalty,” RCW 70.77.488, entitled “Unlawful discharge or use of fireworks—Penalty,” RCW 70.77.517, entitled “Unlawful transportation of fireworks—Penalty,” RCW 70.77.520, entitled “Unlawful to permit fire nuisance where fireworks kept—Penalty,” and RCW 70.77.510 entitled “Unlawful sales or transfers of display fireworks—Penalty,” collectively, as now stated or hereafter amended, are adopted by this reference and a copy or the same shall be kept on file in the office of the city clerk for public use and inspection.

Section 3. Section 5.27.060 of the Edmonds City Code, entitled “Permit fees,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

The fee for a “public display permit” for public display of fireworks shall be ~~\$30.00~~ \$500.00 payable in advance. In addition, in the event that the location specified in the permit has unusual parameters, limitations or risks requiring inspection over and above that

anticipated in the establishment of this fee (that is in excess of one hour), a charge for inspection shall be paid by the applicant equal to the actual cost of providing the inspection. See ECDC 19.75.065.

Section 4. Section 5.27.180 of the Edmonds City Code, entitled “Enforcement,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

The police chief, fire marshal chief, or their designees, are ~~is~~ authorized to enforce all provisions of this chapter and, in addition to criminal sanctions or civil remedies, he may revoke any permit issued pursuant to this chapter upon any failure or refusal of the permittee to comply: 1) with the orders and directives of the police chief, fire marshal, chief or their designees; and/or ~~to comply~~ 2) with any provisions of this chapter or the requirements of the community development code relating to temporary structures.

Section 5. Section 5.27.210 of the Edmonds City Code, entitled “Penalty and violations,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

A. Except as otherwise provided in subsection B of this section, violations of this chapter shall be punished as a non-traffic infraction, punishable by a fine of five hundred dollars. All public safety and education assessments (PSEA) required by state law shall be added to the base fine described herein. Remission of PSEA money shall be as set forth in state law and cannot be suspended or waived. The municipal court shall have discretion to assess additional penalties for failure to pay or respond to notices of infraction issued under this section as otherwise allowed by law.

B. Any person violating or failing to comply with the provisions of this chapter which does not also constitute a violation of state law for the second time within five years, and any subsequent violations within five years, shall be guilty of a civil infraction misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000 and/or jail not to exceed 90 days; a fine of \$50.00 for the first offense, \$100.00 for

~~the second offense, \$150.00 for the third offense and \$200.00 for each offense within a three-year period.~~ Any violation of this chapter which also constitutes a violation of state law shall be punishable under state law penalties. In addition, any fireworks that are involved in the violation may be confiscated.

Section 6. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR MIKE NELSON

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFF TARADAY

FILED WITH THE CITY CLERK:	September 18, 2020
PASSED BY THE CITY COUNCIL:	September 22, 2020
PUBLISHED:	September 25, 2020
EFFECTIVE DATE:	September 30, 2020
ORDINANCE NO.	4194

SUMMARY OF ORDINANCE NO. 4194

of the City of Edmonds, Washington

On the 22nd day of September, 2020, the City Council of the City of Edmonds, passed Ordinance No. 4194. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, AMENDING THE PENALTIES
ASSOCIATED WITH VIOLATING AND OTHERWISE
UPDATING THE CITY'S FIREWORKS CODE.

The full text of this Ordinance will be mailed upon request.

DATED this 22nd day of September, 2020.


CITY CLERK, SCOTT PASSEY

cc: Licensing Clerk
Fire Marshall
Code Enforcement
office

CITY OF MARYSVILLE
Marysville, Washington

MRSC
Code Publishing

ORDINANCE NO. 2409

Orig. File

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING CHAPTER 9.20 MMC, FIREWORKS, TO CONFORM THE SAID CHAPTER WITH STATE LAW, INCLUDING THOSE CHANGES IN STATE LAW ENACTED BY CHAPTER 370, LAWS OF 2002, AND PROHIBITING THE SALE OF CONSUMER FIREWORKS TO PERSONS UNDER THE AGE OF 16, AND ALSO PROHIBITING THE SALE, USE AND DISCHARGE OF CONSUMER FIREWORKS DURING THE PERIOD DECEMBER 27 TO DECEMBER 31, 2002 AND EACH YEAR THEREAFTER.

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

Section 1. MMC 9.20.010 is hereby amended as follows:

1. As to RCW 70.77.131, the reference to "Definition of "special fireworks" is deleted, and enacted instead is a definition of "display fireworks".
2. As to RCW 70.77.136, the reference to "Definition of "common fireworks" is deleted and enacted instead is a definition of "consumer fireworks."
3. As to RCW 70.77.510, the reference to "Sales or transfers of special fireworks" is deleted and enacted instead is a reference to "Sales or transfers of "display fireworks."
4. As to RCW 70.77.515, the reference to "Sales or transfers of common fireworks" is deleted and enacted instead is a reference to "Sales or transfers of consumer fireworks."

Section 2. A new section, MMC 9.20.015, is hereby enacted to said chapter, reading as follows:

MMC 9.20.015. Additional definitions.

The following additional definitions shall apply in this chapter:

ORDINANCE - 1

/wpf/mv/ord.firewks

1. "Articles pyrotechnic" means pyrotechnic devices for professional use similar to consumer fireworks in chemical composition and construction but not intended for consumer use which meet the weight limits for consumer fireworks but which are not labeled as such and which are classified as UNO 431 or UNO 432 by the United States department of transportation at CFR Sec. 172.101 as of the effective date of this definition.

2. "Permittee" means any person issued a fireworks permit in conformance with this chapter.

Section 3. MMC 9.20.020 is hereby amended to read as follows:

MMC 9.20.020 Date and time limits for sale or discharge of consumer fireworks.

No fireworks shall be sold or discharged within the city except as follows:

1. The sale of consumer fireworks shall be allowed from 12:00 noon to 11:00 p.m. on June 28th and from 9:00 a.m. to 11:00 p.m. on June 29th through July 4th.
2. Consumer fireworks may be discharged from 9:00 a.m. to 11:00 p.m. on July 1st through July 4th.
3. Provided, that the sale, use or discharge of consumer fireworks from December 27, 2002 to December 31, 2002 and from December 27th to December 31st of each year thereafter and at all other times except as provided above shall be specifically prohibited.

Section 4. MMC 9.20.070 is hereby amended to read as follows:

MMC 9.20.070 Permit procedure.

Any adult person, firm, partnership, corporation or association may apply for a fireworks permit; provided that the applicant must hold a current business license issued by the city, and must be, or be sponsored by, a person or entity which has a permanent address within the city limits. The application shall be in writing and shall be filed with the city clerk, at least thirty (30) days in advance of the proposed sale of fireworks. The application shall include the following:

1. Proof that the applicant has been issued a fireworks license or permit by the Chief of the Washington State Patrol acting through the director of fire protection.
2. A description of the proposed location of the fireworks.
3. Proof that the applicant has an insurance policy with bodily injury liability limits

ORDINANCE - 2

/wpt/mv/ord.firewks

of \$50,000 / \$1,000,000 for each person and occurrence and \$50,000 for property damage liability for each occurrence. The city shall be named an additional insured on the policy.

4. An annual license fee of \$50.00.

5. Subject to MMC 9.20.080, such permit shall be issued if the application meets the requirement of Chapter 70.77 RCW and all ordinances of the City of Marysville within the earlier of thirty days after the receipt of the application or by June 10 of the calendar year.

Section 5. MMC 9.20.090 is hereby amended to read as follows:

MMC 9.20.090 Issuance of – Nontransferable.

Upon approval by the city council of a fireworks permit, the city clerk shall issue the same to the applicant who thereafter shall be the permittee. The permit shall be for a term of one year. No permit shall be transferable without the express approval of the city council.

Section 6. MMC 9.20.120 is hereby amended to read as follows:

MMC 9.20.120 Temporary fireworks stand specification.

All retail sales of consumer fireworks shall be permitted only from a retailer at a retail fireworks stand or outlet that is temporary, and the sale from any other building or structure is prohibited.

A retail fireworks stand shall be subject to the following provisions, unless preempted by state wide standards, in which event the state wide standards shall apply:

1. No retail fireworks stand shall be located within 25 feet of any other building, nor within 50 feet of any gasoline station.

2. Retail fireworks stands shall be temporary and need not comply with the provisions of the building code of the city; provided, however, that all stands shall be erected under the supervision of the fire chief, as defined elsewhere in this code, who shall require that the stand be constructed in a manner which will insure the safety of attendants and patrons, shall be wired according to State or National electrical code, and shall satisfy any state wide standards issued by the state director of fire protection. At least two approved fire extinguishers with 2.5 gallons a piece or equivalent, shall be maintained at stand at all times.

ORDINANCE - 3

/wpf/mv/ord.firewks

3. Each stand must have two exits.
4. No retail fireworks stand shall be located closer than 600 feet to another fireworks stand.
5. All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least 20 feet surrounding the stand.
6. "No smoking" signs shall be prominently displayed on the retail fireworks stand.
7. Each retail fireworks stand shall be operated by adults only. No fireworks shall be left unattended in a stand.
8. All unsold stock and accompanying litter shall be removed from the location by 12:00 noon on the 6th day of July of each year.
9. The retail fireworks stand shall be disassembled and removed from the location by 12:00 noon on the 6th day of July of each year.

Section 7. Effective date. This ordinance shall go into effect 5 days following adoption and publication.

Section 8. 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.

PASSED by the City Council and APPROVED by the Mayor this 8th day of July, 2002.

CITY OF MARYSVILLE

By David A. Weiser
DAVID A. WEISER, Mayor

ATTEST:

By Gerry Becker
GERRY BECKER, City Clerk

ORDINANCE - 4
/wpf/mv/ord.firewks

Approved as to form:

By Grant K. Weed
GRANT K. WEED, City Attorney

Date of Publication: 7-10-02

Effective Date (5 days after publication): 7-15-02

ORDINANCE - 5

/wpf/mv/ord.firewks

9.20.020 Possession, use, sale, and discharge of fireworks unlawful.

(1) It is unlawful for any person to possess, use, sell, transfer, discharge, ignite, or explode any **fireworks** within the city; provided, that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

(a) Duly authorized public displays, as provided in Chapter 70.77 RCW; and

(b) Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311, and authorized by the Marysville fire marshal.

(2) Trick and novelty devices, as defined by state law, are not **fireworks** for the purposes of this chapter.

(3) This chapter does not prohibit the use of torpedoes, flares, or fusees by motor vehicles, railroads, or other transportation agencies for signal purposes or illumination or for use in forest protection activities. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.030 Permit required for public display.

It is unlawful for any person to hold, conduct or engage in a public display of **fireworks** within the city without first having obtained and being the holder of a valid permit issued pursuant to the provisions of this chapter. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.040 Permit fees.

The fee for inspections related to a permit, processing, and issuing the same shall be \$100.00, payable at the time of application. In addition, in the event that the location specified in the permit has unusual parameters, limitations or risks requiring inspection over and above that anticipated in the establishment of this fee (that is, in excess of one hour), a charge for inspection shall be paid by the applicant equal to the actual cost of providing the inspection and in no case more than a total of \$5,000 for any one permit. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.050 Issuance – Nontransferable – Voiding.

Each public display permit issued pursuant to this chapter shall be valid for the specific authorized public display event only, 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 granted in addition to all other sanctions provided in this code. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.060 Application for public display permit.

A person desiring to make a public display of **fireworks** shall apply in writing for a permit to hold, conduct or operate a public display of **fireworks** to the Marysville fire marshal at least 30 days prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of **fireworks** and all fire and safety requirements as set forth in the standards for public display.

The application must include:

- (1) A copy of the applicant's Washington state pyrotechnic operator license (or the pyrotechnic operator license of the applicant's employee who will conduct the public display);
- (2) Evidence of a bond issued by an authorized surety or a certificate of public liability insurance;
- (3) A drawing showing a plan view of the **fireworks** discharge site and the surrounding area within a 500-foot radius;
- (4) The exact location, date and time of the proposed display; and
- (5) The number, type and class of **fireworks** to be displayed, the manner in which the **fireworks** are being stored prior to the public **fireworks** display.

The fire marshal may impose other requirements on the application.

The fire marshal shall investigate whether the character and location of the display as proposed would be hazardous to property or dangerous to any person. Based on the investigation, the official shall submit a report of findings and a recommendation for or against the issuance of the permit, together with reasons, to the city council. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.070 Standards for public fireworks displays.

(1) All public **fireworks** displays shall conform to the standards and conditions imposed by the fire marshal and city council. The minimum standards and conditions will be consistent with the International Fire Code and the fire marshal or city council may impose any other requirements that are reasonably related to public safety and fire prevention. All public **fireworks** displays shall comply with Chapter 70.77 RCW.

(2) All public **fireworks** displays must be planned, organized, and discharged by a state-licensed pyrotechnician.

(3) A permit must be obtained from the city and approved by the fire marshal or designee prior to any public display of **fireworks**.

(4) The permit may be immediately revoked at any time deemed necessary by the fire marshal or designee due to any noncompliance with the permit, law, or rule, weather conditions such as extremely low humidity or wind factor, accidental ignition of any form of combustible or flammable material in the vicinity of the public display due to falling debris from the display, or any other reason where the fire marshal or designee determines that public safety or fire prevention requires the public display to be cancelled.

(5) Areas of public access shall be determined by the fire marshal or designee and maintained in an approved manner. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.080 Action by city council.

Upon seven days' advance written notice to the applicant, the city council shall consider the application at a public meeting. The applicant may offer testimony at the meeting, subject to the city council's rules of procedure. The city council shall consider the report and recommendations of the fire marshal and any additional evidence. The city council may deny the application if it does not meet the requirements of Chapter 70.77 RCW or this chapter or if the proposed display would be hazardous to property or dangerous to any person. The city council may impose any conditions that are reasonably related to public safety or fire prevention. The decision of the city council with respect to an application shall be final. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.090 Issuance of – Nontransferable.

Upon approval by the city council of a **fireworks** permit, the city clerk shall issue the same to the applicant, who thereafter shall be the permittee. The permit shall be for a specific public display with the date, time, and place specified. No permit shall be transferable without express approval by the city council. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.100 Special effects for entertainment media.

Any person desiring to assemble, compound, use, or display articles pyrotechnic or special effects in the production of motion pictures, radio or television productions, or live entertainment shall apply for a permit utilizing the procedures of this chapter. Such special effects shall be under the direction and control of a pyrotechnic operator licensed by the state of Washington. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.110 Enforcement.

(1) The fire chief, or designee, is authorized to enforce all provisions of this chapter and, in addition to criminal sanctions or civil remedies, he may revoke any permit issued pursuant to this chapter upon any failure or refusal of the permittee to comply with the orders and directives of the fire chief or designee, and/or to comply with any provisions of this chapter or other requirements of the municipal code.

(2) The police chief and commissioned police officers of the Marysville police department are authorized to enforce all provisions of this chapter. (Ord. 3014 § 1 (Exh. A), 2016).

9.20.120 Penalties for violations.

(1) Any person possessing, using, discharging, igniting, or exploding any consumer **firework** in violation of this chapter has committed a civil infraction.

(a) For a period of 365 days after the effective date of the ordinance codified in this chapter, a violation of this subsection shall be a Class 3 civil infraction.

(b) For the period beginning on the three-hundred-sixty-sixth day after the effective date of the ordinance codified in this chapter until the seven-hundred-thirtieth day after the effective date of the ordinance codified in this chapter, a violation of this subsection shall be a Class 2 civil infraction.

(c) Beginning on the seven-hundred-thirty-first day after the effective date of the ordinance codified in this chapter, a violation of this subsection shall be a Class 1 civil infraction.

(d) The penalties and assessments for each class of infraction shall be as set by state law. Base penalties shall be as set forth in RCW 7.80.120 as now enacted or subsequently amended. Public safety and education assessments shall be as set forth in RCW 3.62.090 as now enacted or subsequently amended. The base penalty amounts and public safety and education assessments at the time of the adoption of the ordinance codified in this chapter are shown in the table below. The table is for illustrative purposes only and the amount of the base fine and the public safety and education assessments shall be as provided by state law.

Class	Base Penalty per RCW 7.80.120	Public Safety and Education Assessment per RCW 3.62.090(1)	Public Safety and Education Assessment per RCW 3.62.090(2)	Total Fine
Class 1	250	175 <i>70%</i>	88 <i>50%</i>	\$513
Class 2	125	88	44	\$257
Class 3	50	35	18	\$103

(2) Any person selling or transferring any consumer **firework** in violation of this chapter is guilty of a misdemeanor.

(3) Any person possessing, using, selling, transferring, discharging, igniting, or exploding any display **firework** in violation of this chapter is guilty of a gross misdemeanor.

(4) Any person possessing, using, selling, transferring, discharging, igniting, or exploding any dangerous **firework**, as defined by state law, is guilty of a gross misdemeanor.

(5) Any **fireworks** that are possessed or used in violation of this chapter may be confiscated. (Ord. 3014 § 1 (Exh. A), 2016).

0014.070.001
JEH/are
05/07/93

ORDINANCE NO. 763

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, AMENDING CHAPTER 8.04 AND REPEALING CHAPTER 8.08 OF THE MUKILTEO MUNICIPAL CODE IN ORDER TO BAN THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY EFFECTIVE ONE YEAR FROM THE DATE THIS ORDINANCE IS ADOPTED.

WHEREAS, fireworks are the cause of numerous fires and injuries within the State of Washington every year, and

WHEREAS, fireworks also produce significant amounts of nuisance-type noise, and

WHEREAS, the City of Mukilteo has the authority to regulate and restrain the use of fireworks under Article 11, Section 11, of the Washington State Constitution and RCW 35.22.280(22), and

WHEREAS, the City Council has determined that it is in the best interests of the public health, safety and welfare to ban the sale and discharge of fireworks within the City of Mukilteo, and

WHEREAS, RCW 70.77.250(4) provides that any local regulation which is more restrictive than state law as to the type of fireworks that may be sold may take effect no sooner than one year after adoption, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MUKILTEO, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Sale, Possession, Use and Discharge of Fireworks Unlawful - Exception for Public Displays and Religious Uses. Chapter 8.04 of the Mukilteo Municipal Code is hereby amended to read as follows:

8.04.010 FIREWORKS DEFINED.

As used in this chapter the term "fireworks" means all fireworks, special fireworks, common fireworks and pyrotechnics, as defined in RCW Chapter 70.77.

8.04.020 SALE, POSSESSION, USE AND DISCHARGE OF FIREWORKS UNLAWFUL.

It is unlawful for any person to sell, possess, use, transfer, discharge, ignite or explode any fireworks within the City, provided that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

- A. Duly authorized public displays, as provided in RCW 70.77.260; and
- B. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2).

8.04.030 PERMIT REQUIRED FOR PUBLIC DISPLAY.

It is unlawful for any person to hold, conduct or engage in a public display of fireworks within the City without first having obtained and being the holder of a valid permit issued pursuant to the provisions of this Chapter.

8.04.040 PERMIT FEES.

The fee for a "public display permit" for the public display of fireworks shall be Fifty Dollars (\$50), payable in advance.

8.04.050 ISSUANCE - NONTRANSFERABLE - VOIDING.

Each public display permit issued pursuant to this Chapter shall be valid for the specific authorized public display event only, 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 granted in addition to all other sanctions provided in this Code.

8.04.080 APPLICATION FOR PUBLIC DISPLAY PERMIT.

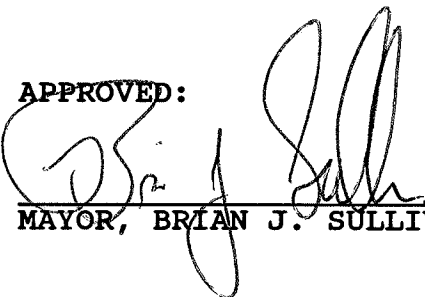
Applications for a permit to hold, conduct or operate a public display of fireworks shall be made to the Mukilteo Fire Marshal at least fourteen (14) days prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of fireworks and all fire and safety requirements as set forth in the standards for public display.

Section 3. Repealer. Chapter 8.08 of the Mukilteo Municipal Code is hereby repealed.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. Pursuant to RCW 70.77.250(4), this ordinance shall take effect and be in full force one year from the date of its adoption. The City Clerk shall publish the attached ordinance summary, which is hereby approved, in the City's official newspaper.

APPROVED:


MAYOR, BRIAN J. SULLIVAN

ATTEST/AUTHENTICATED:


CITY CLERK, LINDA MILLER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:	5-17-93
PASSED BY THE CITY COUNCIL:	5-17-93
PUBLISHED:	5-21-93
EFFECTIVE DATE:	5-26-93
ORDINANCE NO.	<u>763</u>

SUMMARY OF ORDINANCE NO. 763
of the City of Mukilteo, Washington

On the 17TH day of MAY, 1993, the City Council of the City of Mukilteo, passed Ordinance No. 763. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, AMENDING CHAPTER 8.04 AND REPEALING CHAPTER 8.08 OF THE MUKILTEO MUNICIPAL CODE IN ORDER TO BAN THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY EFFECTIVE ONE YEAR FROM THE DATE THIS ORDINANCE IS ADOPTED.

The full text of this Ordinance will be mailed upon request.

DATED this 17TH day of MAY, 1993.


CITY CLERK, LINDA MILLER

0014.070.001

JEH/are

09/14/94

CITY OF MUKILTEO
MUKILTEO, WASHINGTON

ORDINANCE NO. 807

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, AMENDING SECTION 8.04.020 OF THE MUKILTEO MUNICIPAL CODE IN ORDER TO DELETE THE PROHIBITION ON POSSESSION OF FIREWORKS AND ADDING A NEW SECTION 8.04.090 IN ORDER TO ESTABLISH PENALTIES FOR SALE, USE, TRANSFER, DISCHARGE, IGNITION OR EXPLOSION OF FIREWORKS WITHIN THE CITY.

WHEREAS, in August of 1993, the City revised its fireworks code to prohibit the sale, possession, use and discharge of all fireworks within the City, and

WHEREAS, based upon input from the public and the City staff, the Council has determined to delete the prohibition on possession and to add a penalty provision to the fireworks code, now, therefore,

THE CITY COUNCIL OF THE CITY OF MUKILTEO, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. Possession. Section 8.04.020 of the Mukilteo Municipal Code is hereby amended to delete references to the possession of fireworks and to read as follows:

8.04.020 Sale, Use and Discharge of Fireworks Unlawful. It is unlawful for any person to sell, use, transfer, discharge, ignite or explode any fireworks within the City, provided that this prohibition shall not apply to the following activities, when authorized by a state license and City permit:

- A. Duly authorized public displays, as provided in RCW 70.77.260; and
- B. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2).

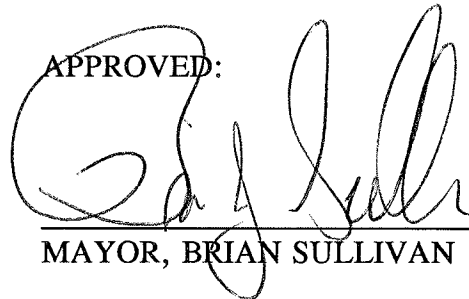
Section 2. Penalty. A new Section 8.04.090 is hereby added to the Mukilteo Municipal Code to read as follows:

8.04.090 Penalty. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$125, plus costs and assessments.

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

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

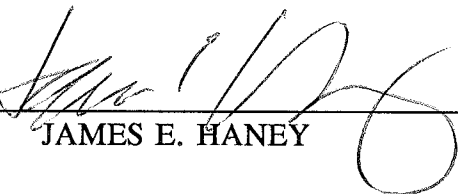
PASSED by the City Council and APPROVED by the Mayor this 19 day of SEPTEMBER, 199 4.

APPROVED:

MAYOR, BRIAN SULLIVAN

ATTEST/AUTHENTICATED:


CITY CLERK, THOMAS G. CARLSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 
JAMES E. HANEY

FILED WITH THE CITY CLERK:	09/14/94
PASSED BY THE CITY COUNCIL:	9-19-94
PUBLISHED:	9-24-94
EFFECTIVE DATE:	9-29-94
ORDINANCE NO. <u>807</u>	

CITY OF MUKILTEO
MUKILTEO, WASHINGTON

ORDINANCE NO. 1307

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON,
RELATING TO FIREWORKS, AMENDING CHAPTER 8.04 MMC TO ADD A
DEFINITION FOR SKY LANTERNS AND TO PROHIBIT THE USE OF SKY
LANTERNS IN THE CITY; PROVIDING FOR SEVERABILITY AND
ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 8.04 MMC – Sale of Fireworks, prohibits the sale, use and discharge of fireworks unless as part of a duly authorized public display or as provided for in RCW 70.77.311(2); and

WHEREAS, sky lanterns create a danger to the public health, safety and general welfare because they have an unpredictable flight path and can travel several miles before landing with the potential of starting a fire if they land on combustible materials while their fuel cell is still burning; and

WHEREAS, sky lanterns do not meet the definition of a firework and thus are not prohibited by MMC 8.04.020 nor are they subject to RCW 70.77.250(4) which requires city ordinances more restrictive than state law regarding fireworks to have an effective date of one year after adoption; and

WHEREAS, this ordinance is categorically exempt from SEPA threshold determination requirements as it is a procedural action pursuant to WAC 197-11-800(19);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MUKILTEO, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 8.04 MMC - Amended Chapter 8.04 MMC – Sale of Fireworks, of the Mukilteo Municipal Code shall be amended to read as follows:

**Chapter 8.04 MMC
SALE OF FIREWORKS**

Sections:

- 8.04.010 Fireworks defined.
- 8.04.015 Sky lantern defined
- 8.04.020 Sale, use and discharge of fireworks unlawful.
- 8.04.025 Sale and use of sky lanterns unlawful.
- 8.04.030 Permit required for public display.
- 8.04.040 Permit fees.
- 8.04.050 Issuance—Nontransferable—Voiding.
- 8.04.080 Application for public display permit.
- 8.04.090 Penalty.

8.04.010 Fireworks defined.

As used in this chapter, the term “fireworks” means all fireworks, special fireworks, common fireworks and pyrotechnics, as defined in Chapter 70.77 RCW.

8.04.015 Sky lantern defined.

As used in this chapter, the term “sky lantern” means an airborne lantern typically made of paper with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the lantern to cause it to lift into the air. Sky candles, fire balloons and airborne paper lanterns mean the same as sky lanterns.

8.04.020 Sale, use and discharge of fireworks unlawful.

It is unlawful for any person to sell, use, transfer, discharge, ignite or explode any fireworks within the city; provided, that this prohibition shall not apply to the following activities, when authorized by a state license and city permit:

- A. Duly authorized public displays, as provided in RCW 70.77.260; and
- B. Duly authorized use by religious organizations or private organizations or persons for religious or other specific purposes on an approved date and in an approved location, as provided in RCW 70.77.311(2).

8.04.025 Sale and use of sky lanterns unlawful

It is unlawful for any person to sell, use, transfer, discharge or ignite any sky lantern within the city.

8.04.030 Permit required for public display.

It is unlawful for any person to hold, conduct or engage in a public display of fireworks within the city without first having obtained and being the holder of a valid permit issued pursuant to the provisions of this chapter.

8.04.040 Permit fees.

The fee for a public display permit for the public display of fireworks shall be fifty dollars, payable in advance.

8.04.050 Issuance—Nontransferable—Voiding.

Each public display permit issued pursuant to this chapter shall be valid for the specific authorized public display event only, 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 granted in addition to all other sanctions provided in this code.

8.04.080 Application for public display permit.

Applications for a permit to hold, conduct or operate a public display of fireworks shall be made to the fire marshal at least fourteen days prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of fireworks and all fire and safety requirements as set forth in the standards for public display.

8.04.090 Penalty.

Violations of this chapter shall constitute a misdemeanor and be subject to the provisions contained in Mukilteo Municipal Code Chapter 1.32, General Penalties.

Section 2. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Authority to make necessary corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Conflict. In the event that there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.

Section 5. Effective Date. The ordinance shall take effect and be in full force five (5) days after publication of the attached Summary which is hereby approved.

PASSED by the City Council and APPROVED by the Mayor this 21st day of May 2012.

APPROVED:



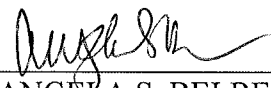
MAYOR, JOE MARINE

ATTEST/AUTHENTICATED:



CITY CLERK, CHRISTINA J. BOUGHMAN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:



ANGELA S. BELBECK

FILED WITH THE CITY CLERK:	5-21-12
PASSED BY THE CITY COUNCIL:	5-21-12
PUBLISHED:	5-25-12
EFFECTIVE DATE:	5-30-12
ORDINANCE NO. 1307	

SUMMARY OF ORDINANCE NO. 1307

of the City of Mukilteo, Washington

On the 21st day of May, 2012, the City Council of the City of Mukilteo, passed Ordinance No. 1307. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, RELATING TO FIREWORKS, AMENDING CHAPTER 8.04 MMC TO ADD A DEFINITION FOR SKY LANTERNS AND TO PROHIBIT THE USE OF SKY LANTERNS IN THE CITY; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 21st day of May, 2012.

CITY CLERK, CHRISTINA J. BOUGHMAN

ORDINANCE NO. 141

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, REGULATING THE SALE, DISCHARGE, AND POSSESSION OF FIREWORKS

WHEREAS, the risk of fire and the danger to the public safety and property are increased by the sale and discharge of fireworks within Shoreline; and

WHEREAS, fireworks also produce significant amounts of nuisance-type noise; and

WHEREAS, the City of Shoreline has the authority to regulate and restrain the use of fireworks under Article 11, Section 11, of the Washington State Constitution and RCW 35.22.280(22); and

WHEREAS, RCW 70.77.250(4) provides that any local regulation which is more restrictive than state law as to the type of fireworks that may be sold may take effect no sooner than one year after adoption; and

WHEREAS, the Board of Commissioners of King County Fire Protection District #4, who serves Shoreline, has adopted Resolution No. 97-7 requesting that the City ban the sale and discharge of fireworks within Shoreline; and

WHEREAS, restrictions on the possession of fireworks are necessary to enforce a prohibition of the discharge of fireworks; and

WHEREAS, the Shoreline City Council has determined that it is in the best interests of the safety, health, and welfare of its residents to prohibit the retail sale, display, discharge, and possession of fireworks within Shoreline at all times except by permit;

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

Section 1. Definitions.

"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 by the United States bureau of explosives or contained in the regulations of the United States department of transportation and designated as U.N. 0335 1.3G or U.N. 0336 1.4G as of April 17, 1995.

"Special fireworks" means any fireworks designed primarily for exhibition display by producing visible or audible effects and classified as such by the United States bureau of explosives or in the regulations of the United States department of transportation and designated as U.N. 0335 1.3G as of April 17, 1995.

"Common fireworks" means any fireworks which are designed primarily for retail sale to the public during prescribed dates and which produce visual or audible effects through combustion and are classified as common fireworks by the United States bureau of explosives or in the regulations of the United States department of transportation and designated as U.N. 0336 1.4G as of April 17, 1995.

"Special effects" means any combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere, and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production, or live entertainment.

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

Section 2. General Provisions.

- A. **SALE, POSSESSION, USE AND DISCHARGE OF FIREWORKS UNLAWFUL.** It is unlawful for any person to sell, possess, use, transfer, discharge, ignite or explode any Fireworks, including but not limited to Common and Special Fireworks, within Shoreline provided that this prohibition shall not apply to the following activities, when authorized by a state license and City permit;
- a) Duly authorized Public Displays as provided herein; and
 - b) Duly authorized use by a religious or private organizations or persons of common fireworks and such audible ground devices as firecrackers, salutes, and chasers if:
 - i) Purchased from a licensed manufacturer, importer, or wholesaler;
 - ii) For use on prescribed dates and locations;
 - iii) For religious purposes.
- B. **EXCEPTIONS.** The sale, possession, or use of the following are exempted from this ordinance;
- a) "Trick and Novelty Devices" as defined by WAC 212-17-030; and
 - b) Special Effects (which may be regulated by the Uniform Fire Code).

Section 3. Permits.

- A. **APPLICATIONS FOR PERMITS.** Applications for a permit as required by Section 2 hereof shall be made to the City of Shoreline Development Services Department a minimum of thirty (30) days in advance of the scheduled event or activity.
- B. **AUTHORITY LOCAL FIRE OFFICIAL.** All permit applications shall be reviewed and inspected by the local fire official. The local fire official may impose reasonable requirements on the permits consistent with chapter 212 WAC (Rules of the State Fire Marshall Relating to Fireworks). The local fire official may revoke any fireworks permit(s) for failure to correct a violation of rules or conditions.
- C. **APPLICATION FEES.** Consistent with RCW 70.77.311 (2)(d), no fee may be charged for these permits.
- D. **NONTRANSFERABILITY.** Each permit issued pursuant to this ordinance shall be valid for the specific authorized event only, 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 granted.

Section 4. Penalties.

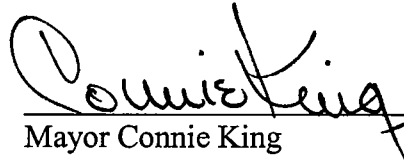
- A. **SALE OR USE OF COMMON FIREWORKS.** The sale, use, transfer, discharge, ignition or otherwise causing to explode of Common Fireworks in violation of the requirements of this ordinance shall be a misdemeanor. Each occurrence shall be a separate violation hereof. The third violation, in any three month period, shall be a gross misdemeanor.
- B. **POSSESSION.** Any Common Fireworks held in violation of this ordinance shall be subject to confiscation. The person that is found to be in possession of Common Fireworks in violation of this ordinance shall be subject to up to a Fifty (\$50) fine.

Section 5. Codification. The foregoing provisions shall be codified and designated as new Section 9.15 of the Shoreline Municipal Code.

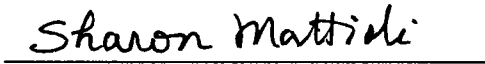
Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force one (1) year after the date of publication.

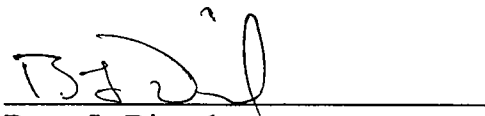
PASSED BY THE CITY COUNCIL ON OCTOBER 27, 1997.


Mayor Connie King

ATTEST:


Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:


Bruce L. Disend
City Attorney

Date of Publication: October 30, 1997
Effective Date: October 30, 1998



WASHINGTON STATE LEGAL CONSUMER FIREWORKS FOR SALE IN TENTS AND STANDS PER RCW 70.77.136

Cylindrical Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Helicopters, Aerial Spinners

A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.



Cone Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Smoke Devices

Tube or sphere containing pyrotechnic composition that, upon ignition, produces a white or colored smoke as a primary effect.



Roman Candles

Heavy paper or cardboard tube containing pyrotechnic composition. Upon ignition, up to ten "stars" are individually expelled at several-second intervals.



Parachutes

Upon ignition, one or more parachutes are propelled into the air with stars, smoke, and other effects being discharged as the parachute floats downward.



Wheels

Pyrotechnic device attached to a post or tree by means of a nail or string. A wheel may contain up to six "driver" units; upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.



Mine/Shells/Cakes

Mine – An aerial device that shoots stars into the sky in an upward spray pattern.
Shell – A shell is an aerial item that is fired into the sky.
Cake – Dense-packed collection of mine/shell tubes that are fused together.



Ground Spinners

A small device similar to a wheel in design and effect. When placed on the ground and ignited, a shower of sparks and color is produced by the rapidly spinning device.



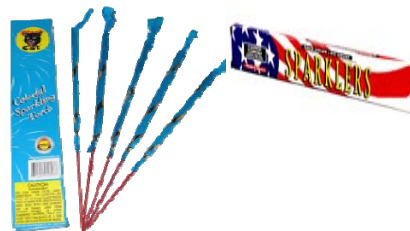
Reloadable Mortars

A shell consisting of a container, a lift charge, a time fuse, a burst charge, and stars/effects. The lift charge propels the shell out of the tube igniting the burst charge at the right altitude, igniting the effects.



Dipped Stick, Sparkler

Stick or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition not to exceed 100 grams per item.



Novelties

"Trick and Novelty Devices" means any small firework device not classified as a Consumer of Display Firework. Items contain a small amount of pyrotechnic composition that is friction sensitive.



** Pictures shown are for illustrative purposes only and are not an endorsement of any brand or style of consumer firework.





FIREWORK AND EXPLOSIVE DEVICES THAT ARE ILLEGAL IN WASHINGTON STATE

Federally Legal Consumer Fireworks: These items are legal to purchase, possess, and discharge only at an Indian Reservation. Possession and/or use off the reservation is illegal.

Firecrackers

Generally 1/4" x 1 1/2" or less that come in packs to large bricks. A firecracker makes a single "pop" sound. Many firecrackers strung together will make repetitive "popping" sounds.



Sky Rockets and Missiles

Similar to the Bottle Rocket, a Sky Rocket is attached to a stick or has fins and may have a plastic cap. A missile will have fins rather than a stick. Once lit, it ascends rapidly, high into the air where it explodes.



Bottle Rockets

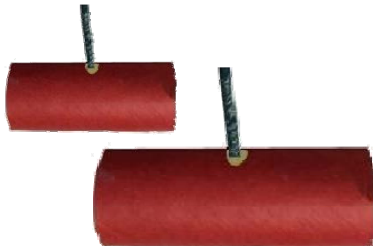
A firecracker type (tube) attached to a 12" long wooden stick. The stick is placed in a bottle and once lit, it rises into the air, travelling laterally before exploding.



Illegal Explosive Devices: The possession, manufacturing, or using of illegal Explosive Devices is a criminal offense.

M-80's, M-100's, etc.

Illegal since the 70's, an M-80 can contain flash powder, black powder, or a composition of materials that are sensitive to shock and can injure or kill people. Can do serious permanent damage to fingers, hands, and eyes.



Improvised Explosive Device (IED)

A pipe bomb is an improvised explosive device, consisting of a tightly sealed section of pipe that is filled with an explosive material. The pipe provides containment, meaning that a low explosive can be used to produce a relatively large explosion.



A tennis ball bomb is an improvised explosive device consisting of a tennis ball filled with combustibles or pyrotechnic material with a fuse producing a loud explosion.



Altered Firework

Sparklers are bound together in electrical or duct tape to contain the ignition of the sparklers, providing for a loud "whoomp" sound with a flash of light.





BOMB THREAT STAND-OFF CARD



Threat Description		Explosives Capacity	Mandatory Evacuation Distance	Shelter-in-Place Zone	Preferred Evacuation Distance
 Pipe Bomb		5 lbs	70 ft	71-1199 ft	+1200 ft
 Suicide Bomber		20 lbs	110 ft	111-1699 ft	+1700 ft
 Briefcase/Suitcase		50 lbs	150 ft	151-1849 ft	+1850 ft
 Car		500 lbs	320 ft	321-1899 ft	+1900 ft
 SUV/Van		1,000 lbs	400 ft	401-2399 ft	+2400 ft
 Small Delivery Truck		4,000 lbs	640 ft	641-3799 ft	+3800 ft
 Container/Water Truck		10,000 lbs	860 ft	861-5099 ft	+5100 ft
 Semi-Trailer		60,000 lbs	1570 ft	1571-9299 ft	+9300 ft

CAUTION!

- Do not touch suspicious item
- Notify proper Authorities - Call 911
- Ensure all witnesses are available to brief 1st responders
- Recommended stand-off data should be used in conjunction with your emergency evacuation plan

Preferred Evacuation Distance

Shelter-in-Place Zone

Move to Preferred Evacuation Distance.
If unable, seek shelter inside of building away from windows and exterior walls.

Mandatory Evacuation Distance
inside and outside of buildings.
Proceed to Preferred Evacuation Distance.



Sources: Department of Homeland Security,
Office for Bombing Prevention, Arlington, VA
FBI, Bomb Data Center, Quantico, VA
Technical Support Working Group, Arlington, VA



Εἰς τὸ πρῶτον μὲν τοῦ πυροφάνου τὸ φασματικὸν τὸν πρὸς τὸν ἀντικείμενον ὡς ὁ πυροφάνος ὁ ὅστις ἐκτείνεται ἐν τῷ ἀντικείμενῳ τὸν ὅτις ἐκτείνεται ἐν τῷ ἀντικείμενῳ τὸν ὅτις ἐκτείνεται ἐν τῷ ἀντικείμενῳ

(U//FOUO) Fireworks and Improvised Explosive Devices Using Fireworks Material an Ongoing Threat to Public Safety Personnel

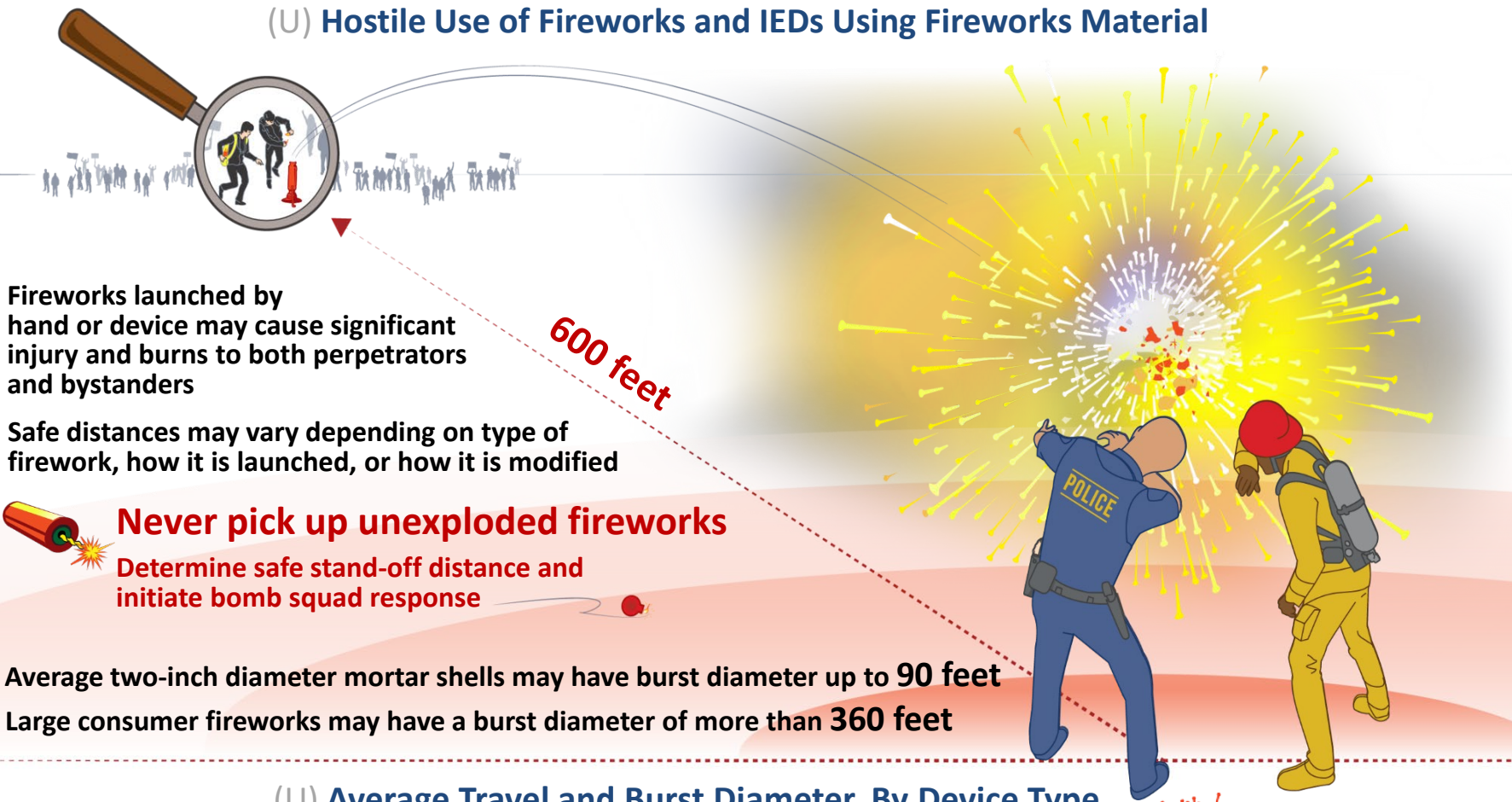
(U//FOUO) Domestic violent extremists likely will use readily accessible fireworks and improvised explosive devices (IEDs) sourced from fireworks material at civil unrest and attack events. Mortar launched fireworks enable expanded attack range and impact area while being more effective in causing injuries to public safety personnel, perpetrators, and bystanders.

(U//FOUO) Scope Note: This product provides situational awareness of tactics, techniques, and procedures observed in the United States from launching fireworks and/or manufacturing IEDs sourced from fireworks material and does not encompass every known IED or circumstance.

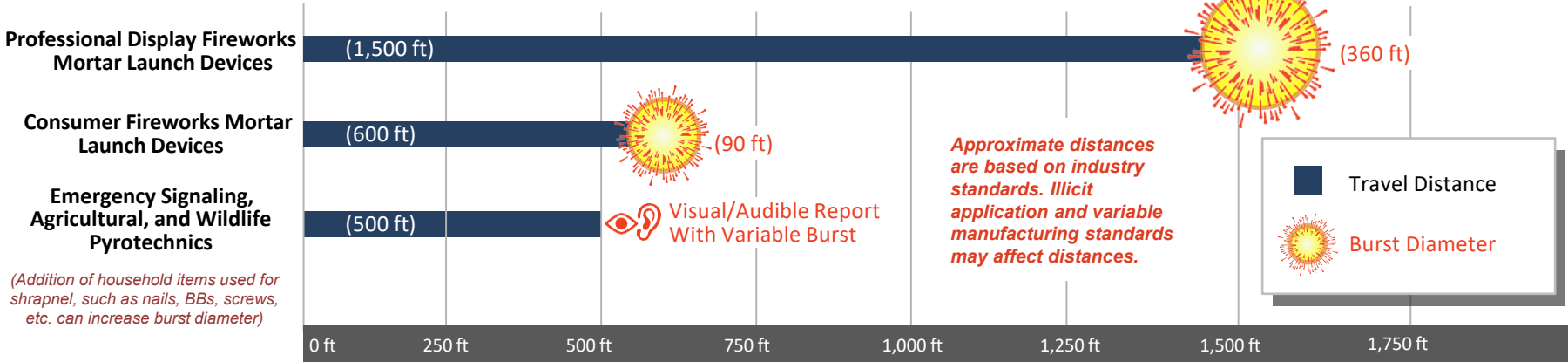
(U) Background

- Observed use of fireworks and IEDs has increased in the US through 2020—particularly at civil unrest events.
- May Day 2016 Seattle marked the first recorded local use of Molotov Cocktails (IIDs) and fireworks used as weapons against LE. Every civil unrest action since that time in Seattle and Portland has resulted in the use of commercial and modified fireworks against LE
- On 7 July 2020, members of a large crowd in Texas launched a large firework at a patrol vehicle, resulting in serious burns to the officer.
- Tests conducted by the National Counterterrorism Center confirmed that IEDs made from fireworks material can deliver bodily harm or even death to public safety personnel, perpetrators, and bystanders.
- International incidents involving use of illegal fireworks has resulted in the melting or burning of law enforcements' personal protective equipment (PPE).

(U) Hostile Use of Fireworks and IEDs Using Fireworks Material



(U) Average Travel and Burst Diameter, By Device Type



(U) Unexploded Ordnance

- Never pick up or approach unexploded ordnance.
- Firework charges can have multiple fuses, both external and internal.
- An external fuse may appear unlit as an internal fuse in the same device burns toward detonation of the payload charge.

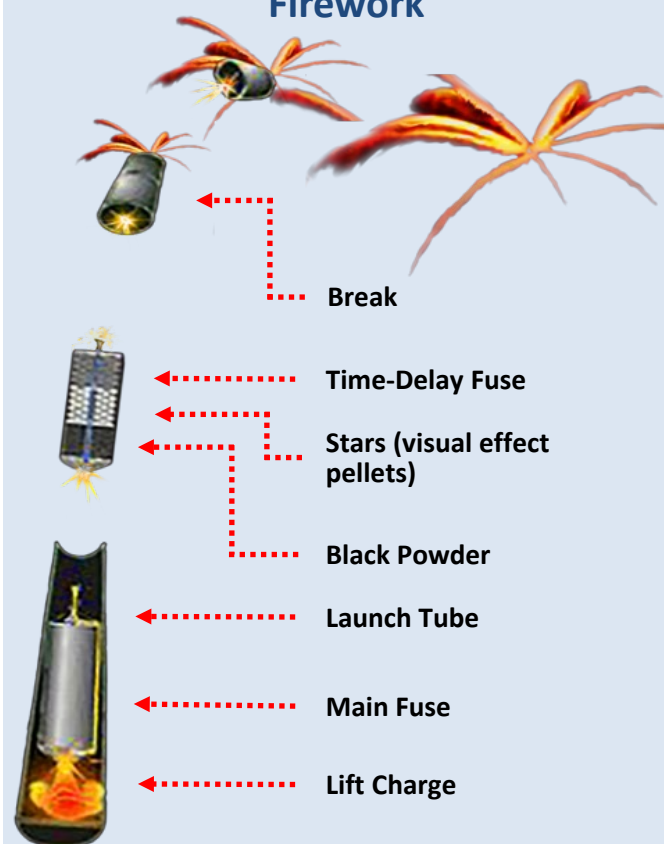
(U) Considerations

- Follow agency standard operating procedures/ guidelines (SOP/SOG) regarding IED and explosive devices.
- Follow all SOP/SOG and DHS-DOJ Bomb Threat Stand-Off distances for unexploded ordnance.
- Establish unified command with all response agencies.
- Initiate bomb squad response for unexploded devices.
- Increased safety zones for personnel.
- Familiarize personnel with firework types and associated burst zones.
- Modifying consumer fireworks (under three inches in diameter) or fireworks using extended launch tubes may increase maximum expected travel distance.
- Shrapnel can travel at 75% of the speed of the initial explosion. In a device that explodes at 2,000 ft/sec, BB's, nails, or other enhancements affixed to the exterior of the device can achieve speeds of 1,500 ft/sec.
- Professional display fireworks mortar launch devices may travel greater than 1,500 feet.



(U//FOUO) Fireworks and Improvised Explosive Devices Using Fireworks Material an Ongoing Threat to Public Safety Personnel

(U) Parts of a Mortar Launched Firework



(U//FOUO) Resource Links

- [Washington State Fire Marshal Fireworks Program](#)
- [DHS-DOJ Bomb Threat Stand-Off Card](#)
- [JCAT First Responder's Toolbox – IED Manufacture Indicators](#)
- [CISA Bomb-Making Materials Awareness Program \(BMAP\)](#)
- [ATF Fireworks Webpage](#)
- [Washington State Labor and Industries Explosives Licensing](#)

(U//FOUO) Common Pyrotechnics, Consumer, and Professional Display Fireworks



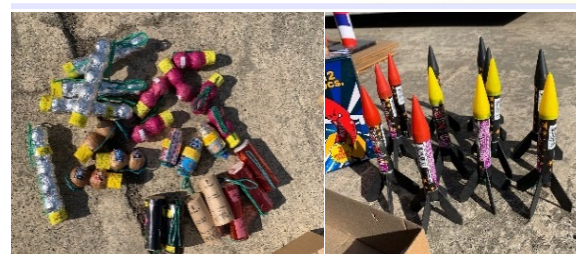
Professional Display Fireworks Mortar Launch Devices may reach three feet or more in height. Display mortar shells may be four inches to over 12 inches in diameter and may contain multiple burst charges. Display mortar shells exceed the limits of explosive materials for classification as consumer fireworks, traveling further distances and creating larger burst diameters.



Consumer Fireworks Mortar Launch Devices can be preloaded or reloadable single/multi shot devices, may be one to two feet high, may launch shells 600 or more feet, typically launch 3/4-to-three-inch mortar shells with a 90-foot or more burst diameter, with one to five separate burst charges. Multi-shot cake devices come preloaded and may launch from six to more than 250 mortar shells with a single initiation of the device.



Emergency Signaling, Agricultural, and Wildlife Pyrotechnics may include single or multi-shot handheld launchers/hand thrown devices with loud audible explosion and visual flashes used for disbursement purposes or emergency signaling. The projectile may travel more than 500 feet, burn hotter than 2,600 degrees Fahrenheit, and can be difficult to extinguish.



Rockets, Mortars, and Projectiles may be cylindrical, five to six inches long, self-propelled, and typically require a launching device but may be launched by hand. Like professional display fireworks, these may contain multiple burst charges.

(U//FOUO) Improvised Explosive Devices Using Fireworks Material



Pressure Cookers can be filled with fireworks and fragmentation material, creating a mass casualty capable IED. Preferred evacuation distance is 1,200 feet or more. The 2013 Boston Marathon Bombing illustrates the catastrophic impact of such a device.

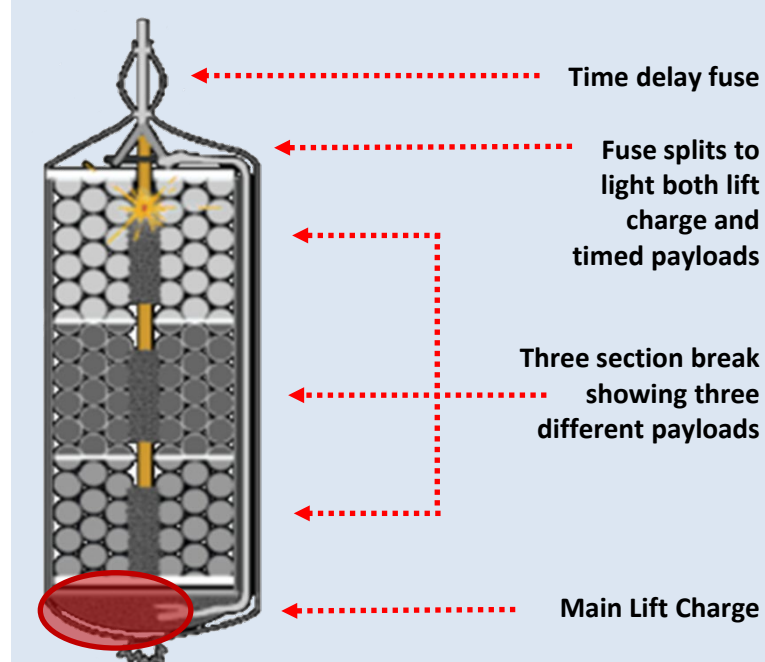


Pipe Bombs can be made from fireworks material, to explode or launch and then explode, and may have fragmentation material, such as nails and shrapnel for added lethality. Mandatory evacuation distance is a minimum of 70 feet, with a preferred evacuation distance of 1,200 feet or more.

(U) Considerations (Cont.)

- PPE may not protect against fireworks and their high heat chemical components.
- Horizontally launched fireworks and their debris pose a significant fire hazard.
- Evaluate public safety personnel for concussion and/or traumatic brain injury (TBI) with a medical surveillance program.
- Medical records, photographs, and video can play an important role in an investigation.
- Consider suspects with burns to hands, feet, and legs; 57% of firework injuries are burns.
- Attempt to recover spent mortar tubes for forensic evidence; fingerprints left on plastic mortar tubes and reoccurring branded products could assist in investigation.
- Handling, transport, and storage of unexploded evidence should be first evaluated by bomb squad personnel for safety considerations.

(U) Cross-Section of Large Consumer Firework Charge



Fireworks Information:

When To Call 911 Regarding Fireworks?

This chart is provided to help provide a guide on when you should call 911 regarding fireworks. Reporting 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.

Fireworks: Handle With Care

Each year in Washington, fireworks cause injuries and fires. Don't let your family become part of these statistics. **Be prepared. Be safe. Be responsible.**

Number of fireworks-related injuries in 2020:

237*

Time most injuries occur:

9:00 p.m. to midnight

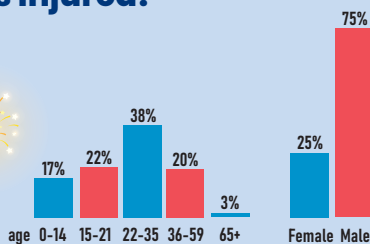


Fires caused by fireworks in 2020:

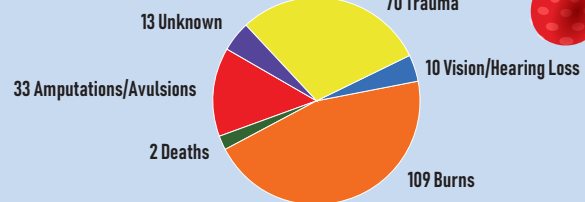
360

Total \$ loss = \$1,307,884

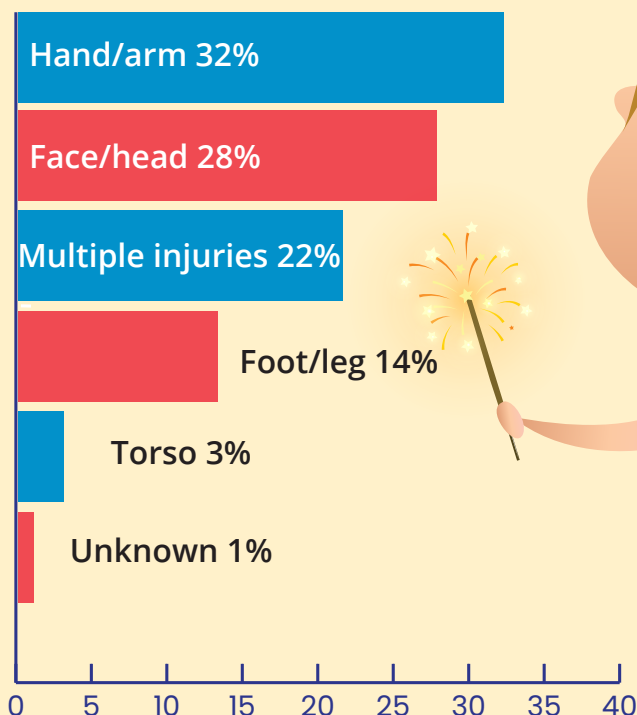
Who gets injured?



Types of Injuries



Fireworks injuries by body part



Top causes of injuries

1. Hit by fireworks and/or debris
2. Holding or throwing fireworks
3. Lighting or relighting fireworks
4. Leaning over fireworks



* As reported to the SFMO by fire agencies and hospitals



**Fireworks Sales, Usage, Bans, or Restricted Sales/Use
for the Independence Day and New Year's Day Holiday Periods**

State Fireworks Law [RCW 70.77.395](#)

Holiday	Date	Sales Period	Discharge Period
Independence Day 4th of July	June 28	12 p.m. to 11 p.m.	12 p.m. to 11 p.m.
	June 29 to July 3	9 a.m. to 11 p.m.	9 a.m. to 11 p.m.
	July 4	9 a.m. to 11 p.m.	9 a.m. to 12 a.m. midnight
	July 5	9 a.m. to 9 p.m.	9 a.m. to 11 p.m.
New Year's Day	December 27 to 30	12 p.m. to 11 p.m.	No Discharge
	December 31	12 p.m. to 11 p.m.	6 p.m. to 12 a.m. midnight
	January 1	No Sales	12 a.m. midnight to 1 a.m.

Cities and Counties with Bans and Restrictions

Cities and counties may have more restrictive fireworks laws or ordinances. Contact your local police or fire department to inquire about local rules, ordinances, and laws before purchasing or using fireworks.

Can you tell the difference between Illegal Fireworks and Illegal Explosive Devices?

It could save a life!

Which fireworks are illegal in our state?

These are listed as Consumer Fireworks but are illegal to sell, possess, and/or discharge within the State of Washington. They are legal to sell, possess, and/or discharge on tribal lands.

Firecrackers

Generally 1/4" x 1 1/2" or less that come in packs to large bricks. A firecracker makes a single "pop" sound. Many firecrackers strung together will make repetitive "popping" sounds.



Bottle Rockets

A firecracker type (tube) attached to a 12" long wooden stick. The stick is placed in a bottle and once lit, it rises into the air, travelling laterally before exploding.

Sky Rockets and Missiles

Similar to the Bottle Rocket, a Sky Rocket is attached to a stick or has fins and may have a plastic cap. A missile will have fins rather than a stick. Once lit, it ascends rapidly, high into the air where it explodes.



Illegal explosive devices are often wrongly referred to as fireworks because they look like large firecrackers, but they can have as much explosive power as a 1/4 stick of dynamite.

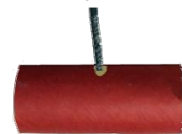
Do not handle explosive devices!!

If possible, have the local bomb squad evaluate and pick up the device.

Possession, manufacturing, or using illegal explosive devices is a **criminal offense** in Washington.

Call the State Fire Marshal's Office at (360) 596-3946 for additional information.

Mass-produced Homemade Devices Example: M-80's, M-100's, etc.



Homemade Explosives Example: Pipe Bomb & Tennis Ball Bomb



Altering consumer fireworks making an explosive device Example: Sparkler Bomb



FIRE PROTECTION BUREAU – PREVENTION DIVISION
(360) 596-3946 FAX: (360) 596-3934
E-Mail: Fireworks@wsp.wa.gov





For Immediate Release

Captain Neil Weaver
Government and Media Relations

State Fire Marshal's Office
State Fire Marshal Chad Cross

Date: June 26, 2023

Contact: Deputy State Fire Marshal Gregory Baruso

Phone: (360) 596-3929

Email: fbpio@wsp.wa.gov

Twitter: @WaFireMarshal

Consumer Fireworks Sales Set to Begin June 28, 2023

Olympia – Sale of consumer fireworks begins Wednesday, June 28, 2023, at 12:00 p.m. and ends on Wednesday, July 5, 2023, at 9:00 p.m.

Statewide Sales and Discharge Period Allowed by RCW 70.77.395		
Date	Sales Period	Discharge Period
June 28	12:00 p.m. to 11:00 p.m.	12:00 p.m. to 11:00 p.m.
June 29 - July 3	9:00 a.m. to 11:00 p.m.	9:00 a.m. to 11:00 p.m.
July 4	9:00 a.m. to 11:00 p.m.	9:00 a.m. to 12:00 a.m.
July 5	9:00 a.m. to 9:00 p.m.	9:00 a.m. to 11:00 p.m.

A state license is required, along with a local permit, to operate a fireworks stand in Washington. The Washington State Fire Marshal's Office issued licenses for 552 retail fireworks stands in 2023; this number is up slightly from 2022 with a total of 541.

The SFMO encourages those who purchase fireworks this year to enjoy them safely and responsibly. A number of cities and counties have restricted or banned the sale and discharge of fireworks, while others have modified the type of fireworks that can be purchased. Always be sure to check with your local jurisdiction before purchasing or discharging fireworks.

For further information, contact the SFMO at (360) 596-3929 or visit <http://www.wsp.wa.gov/fireworks/>.

###

The State Fire Marshal's Office is a Bureau of the Washington State Patrol, providing fire and life safety services to the citizens of Washington State including inspections of state licensed facilities, plan review of school construction projects, licensing of fire sprinkler contractors and pyrotechnic operators, training Washington States firefighters, and collecting emergency response data.

The Washington State Fire Marshal's Office (SFMO) regulates fireworks manufacturers, wholesalers, importers, general display and pyrotechnic operator licensees for statutory compliance. This includes any business entity or person licensed or not who engages in fireworks regulated activities by [RCW 70.77](#) and WAC 212-17. Their public facing webpage has information regarding specific regulations to include fireworks information for consumers that you can look up or pass on if you encounter questions.

(SFMO) Public Facing Page <https://www.wsp.wa.gov/state-fire-marshals-office/>

(SFMO) Public Fireworks Page <https://www.wsp.wa.gov/fireworks/>

It should be noted that the sale and discharge of fireworks is restricted to certain times around the July 4th Holiday and New Year's Eve. Local jurisdictions may further restrict the sale and discharge of fireworks in their areas. Always check with your local jurisdiction for legal use of fireworks in your area.

Attachments:

- Consumer Fireworks Legal in Washington State
- Fireworks Sales, Usage, Bans, or Restricted Sales/Use for the Independence Day and New Year's Day Holiday Periods
- Fireworks Handle with Care Infographic
- Fireworks and Improvised Firework Devices Ongoing Threat to First Responders
- Fireworks, When to Call 911
- FBI-FEMA Bomb/Threat Stand-off Card
- Illegal Fireworks and Explosives Poster
- WSP State Fire Marshal's Office Media Release "Consumer Fireworks Sales Set to Begin June 28, 2023"

Washington State Bombs/Explosives-Fireworks Laws

70.74 RCW. Washington State Explosives Act.

RCW 70.74.022 License required to manufacture, purchase, sell, use, possess, transport, or store explosives—Penalty—Surrender of explosives by unlicensed person

(1) It is unlawful for any person to manufacture, purchase, sell, offer for sale, use, possess, transport, or store any explosive, improvised device, or components that are intended to be assembled into an explosive or improvised device without having a validly issued license from the department of labor and industries, which license has not been revoked or suspended. Violation of this section is a class C felony.

(2) Upon notice from the department of labor and industries or any law enforcement agency having jurisdiction, a person manufacturing, purchasing, selling, offering for sale, using, possessing, transporting, or storing any explosive, improvised device, or components of explosives or improvised devices without a license shall immediately surrender those explosives, improvised devices, or components to the department or to the respective law enforcement agency.

RCW 70.74.180 Explosives Prohibited. Felony. INTENT must be proven. (Class-A)

Any person who has in his or her possession or control any shell, bomb, or similar device, charged or filled with one or more explosives, intending to use it or cause it to be used for an unlawful purpose, is guilty of a class A felony, and upon conviction shall be punished by imprisonment in a state prison for a term of not more than twenty years.

RCW 70.74.270 Malicious Placement of an Explosives.

(Class-A terrorist act) (Class-B any person endangered) (All other Class-C)

RCW 70.74.272 Malicious Placement of Hoax Device.

RCW 70.74.280 Malicious Explosion of a Substance

70.77 RCW. State Fireworks Law.

RCW 70.77.485 Unlawful possession of fireworks — Penalties.

It is unlawful to possess any class or kind of fireworks in violation of this chapter. A violation of this section is:

- (1) A misdemeanor if involving less than one pound of fireworks, exclusive of external packaging; or
- (2) A gross misdemeanor if involving one pound or more of fireworks, exclusive of external packaging.

For the purposes of this section, "external packaging" means any materials that are not an integral part of the operative unit of fireworks.

212-17 WAC Fireworks.

Generally 212-17 Washington Administrative Code deals with definitions and rules that apply to the manufacture, storage, transportation, sale, importation, possession, classification, and discharge of fireworks of every class or kind in this state. The chapter does not apply to tribal fireworks stands operated by an enrolled tribal member on tribal lands or allotted lands within an established Indian reservation.

9A.48 RCW. Arson, Reckless Burning, and Malicious Mischief.

RCW 9.61.160 Threats to bomb.

(1) It shall be unlawful for any person to threaten to bomb or otherwise injure any public or private school building, any place of worship or public assembly, any governmental property, or any other building, common carrier, or structure, or any place used for human occupancy; or to communicate or repeat any information concerning such a threatened bombing or injury, knowing such information to be false and with intent to alarm the person or persons to whom the information is communicated or repeated.

(2) It shall not be a defense to any prosecution under this section that the threatened bombing or injury was a hoax.

(3) A violation of this section is a class B felony punishable according to chapter [9A.20](#) RCW.

The following information is provided regarding the seizure of fireworks.

If the seizure involves commercially State Illegal consumer 1.4G manufactured fireworks such as firecrackers, rockets, etc., normal evidence procedures should be followed. Please contact your agency evidence custodian or respective agency Bomb Technicians through dispatch for questions regarding your agency policy. Handling, storage, and disposal of these items should be coordinated with either the evidence custodian, the Bomb Squad or in most cases both.

Basic guidelines to remember are if the fireworks you are working with are clearly non-modified or tampered with commercial products, then you can handle with care. Your best bet is to put these items in paper bags for transport (plastic creates static concerns) and lock them in approved container at the district level. Remember to follow evidence procedures and contact your local bomb techs for recovery.

Do NOT place or submerge any type of fireworks, firecrackers, rockets, etc. in water or any other substance.

If you are dealing with any potentially or obviously modified commercial firework, **it should be treated like and IED**. Call a supervisor and notify a Bomb Technician immediately. Do not handle or transport. The Bomb Techs will come to you if necessary and/or provide guidance on safe actions. Uncontrolled altering of commercial fireworks poses serious threats to first responders and the public due to the unregulated processes, over packing energetic powders, inadequate fusing, mixing unknown chemicals, and using homemade explosives. These extremely unstable devices can explode from any amount of applied pressure, friction, or rotation and should be handled with extreme caution. Example of these items which are common in Washington State include “sparkler bombs” tennis/ping-pong ball IEDs or any cardboard or metal tube or pipe filled with flash or energetic (black) powders.

Quick Reference

Fireworks LEGAL in Washington: 1.4G Consumer Fireworks		
Confiscate	Law Enforcement and/or Fire Jurisdictions	Examples: Sparkler, Flitter Sparkler, Cone Fountain, Mine/Shell, Smoke Device, Wheel Cakes, Aerial Spinner, Ground Spinner, Helicopters, Cylindrical Fountain Illuminating Torch, Roman Candle, Reloadable Mortars (up to 1 3/4”).
Seize	Law Enforcement only	
Transport	Personnel confiscating the fireworks should transport the items directly to storage, if possible.	
Fireworks ILLEGAL in Washington: 1.4G Fireworks (State-Banned Fireworks)		
Confiscate	Law Enforcement and Fire Jurisdictions	Examples: Sky Rocket – Bottle Rockets, Missile-Type Rocket, Chaser, Firecrackers, Salutes.
Seize	Law Enforcement only	
Transport	Personnel confiscating the fireworks should transport the items directly to storage, if possible.	
ILLEGAL Explosive Devices:		

Confiscate	Law Enforcement only	Examples: M-80, M-150, M-200, M-500, M-600, M-1000, M-1300, Sparkler Bombs Tennis Ball Bombs Cherry Bombs Improvised Explosive Devices (IEDs), Improvised Incendiary Devices (IIDs), and Other homemade or altered fireworks.
Seize	Law Enforcement only	
Transport	Only a licensed bomb technician or bomb squad personnel can confiscate, handle, transport, or store these devices.	
Other	Any time a device is believed to be a homemade fireworks or Improvised Explosive Devices (IED's), call the bomb squad. The site where these IED's are located shall then be evacuated and cordoned off.	

State Legal, Federally Legal, and Illegal Fireworks

State Legal Fireworks are consumer fireworks that are legal to possess and discharge on and off an Indian reservation:

- **State Legal Fireworks**
Novelty and Smoke Items
Sparklers and Spinners
Multi Aerials
Helicopters
Cones and Fountains
Wheels
Roman Candles
Reloadable Mortars (1 ¾" or smaller)

Federally Legal Fireworks are all consumer fireworks, but are legal to possess and discharge **only while on an Indian reservation:**

- **Legal Only on Tribal Lands**
Firecrackers and Chasers
Bottle Rockets
Missiles and Rockets

Illegal Fireworks are just that—illegal to possess and discharge anywhere. Some examples are:

- **Illegal Explosive Devices**
M-80's or Larger
Cherry Bombs
Tennis Ball Bombs
Legal Fireworks that are altered in any way

Many cities have banned public use fireworks altogether, such as Seattle, Spokane, and Tacoma. This makes possession or discharge of any fireworks illegal within their city limits and classified as CIVIL infractions.

WSP Officer's Evidence Handbook

Chapter 2.00 - Types of Evidence

2.00.060 EXPLOSIVES/HOMEMADE FIREWORKS

Forms to be Completed

- ▶ **Property/Evidence Report** (3000-110-096)
- ▶ **Transfer/Disposition Report** (3000-110-179)

Any explosive and all fireworks that appear to be homemade, such as tennis ball explosives, M-80, Cherry Bomb, etc., shall be approached with caution. These suspected explosives necessitate that the Washington State Patrol Bomb Squad be notified immediately. The arresting officer is **not to** handle these types of explosives. **A bomb technician shall be consulted with prior to handling, seizing, or otherwise dealing with dangerous explosives.**

Procedures

- ▶ The suspected explosives detonated or confiscated by the bomb technician shall be photographed for evidentiary purposes in order to enable the prosecutor or the arresting officer to present in court.
- ▶ The suspected explosive will not be tagged, but a bar-code item label shall be placed on the evidence envelope and a Property/Evidence Report and a signed Transfer/Disposition Report submitted to the evidence drop box, indicating that the explosives were disposed of or confiscated by the responding Washington State Patrol Explosives Unit bomb technician.
- ▶ Under **no** circumstances are explosive devices or homemade fireworks (tennis ball bombs, M-80s, etc.) to be placed in evidence storage lockers or stored in the property rooms, bullpens, or cargo containers. The Property and Evidence Custodian shall be consulted regarding temporary storage of explosives and/or homemade fireworks.

2.00.080 FIREWORKS

Forms to be Completed

- ▶ **Property/Evidence Report** (3000-110-096)
- ▶ **Transfer/Disposition Report** (3000-110-179)
- ▶ **Property/Evidence Tag** (blue tag) (3000-110-182)

Procedures

- ▶ Commercially produced fireworks that are confiscated shall be photographed for evidentiary purposes in order to enable the prosecutor, or the arresting officer, to present in court. The fireworks will be tagged with the appropriate bar-code item labels utilizing the Property/Evidence Tag (blue tag).
- ▶ The Property and Evidence Custodian shall be notified and told when there are commercially produced fireworks being placed into the evidence system.

A bomb technician should be consulted with prior to handling, seizing, storage, or otherwise dealing with commercial fireworks.

A state license is required, along with a local permit, to operate a fireworks stand in Washington.

It is likely that many community fireworks displays may not be held this year due to reported lack of trained and qualified pyrotechnic personnel. The SFMO encourages those who purchase fireworks this year to enjoy them safely, and gather in compliance with public health guidelines within their individual counties. A number of cities and counties have restricted or banned the sale and discharge of fireworks, while others have modified the type of fireworks that can be purchased. Always be sure to check with your local jurisdiction before purchasing or discharging fireworks.

The SFMO fireworks campaign starts this week with media releases and social media postings. The campaign will initially focus on sale and discharge dates, followed by proper and safe use of fireworks.

Your WSP Interagency Bomb Squad is here to help you, please call us if you have any questions.

CITY COUNCIL STAFF REPORT



Agenda Date: 4/2/2024

Subject: First Quarter Planning and Community Development Report

Contact Person/Department: Russ Wright, Community Development

Budget Impact: NA

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Planning and Community Development (PCD) provides the City Council with a quarterly report with key accomplishments.

SUMMARY/BACKGROUND:

Long Range Update

Each year, staff develops a Long-Range Planning Work Program, reviewed by the Planning Commission and approved by the City Council. The work program includes comprehensive plan amendments, development code amendments, annexations and other special projects.

- The City Council approved and adopted the Code Clean-up Project (Ordinance 1179) and Building Code Updates (Ordinance 1160).
- Staff is waiting for a response from the Washington State Patrol before they can continue the Solicitor's License code update.

Most of the staff's current focus is on the 2024 Comprehensive Plan Periodic Update. Significant milestones and activities follow.

- Completion of an updated housing and land capacity analysis, discussed with the Planning Commission on February 7, which indicates the city has adequate zoned capacity to meet its 2044 growth targets for households above 50% of Area Median Income but must identify strategies to meet the housing needs of

the lowest-income households. The Housing Authority of Snohomish County provided additional information during a March 26 presentation to the Council.

- Completion of an updated land capacity analysis for employment, discussed with the Planning Commission on February 21, which shows the city will have adequate zoned capacity to meet its 2044 employment targets with additional reasonable measures and infrastructure improvements in the Lake Stevens Industrial Center.
- The Planning Commission has reviewed the Parks and Recreation Element and the Public Services and Utilities Element.
- The Planning Commission is on track to review additional draft elements throughout Spring 2024 and begin additional community outreach for land use, housing and transportation.
- The Community Transit (CT) Pilot Program subcommittee participation process was completed in March 2024. CT's goal is to have the Zip Car Pilot program up and running for residents by late 2024 or early 2025. CT is also considering a Community Van as an additional transit pilot option available to city residents. In early May, the CT Board will review the proposals prepared by the subcommittee and present its findings and decisions to the city council this summer.

The work program with status updates is attached for review (**Attachment 1**). Items with changed action dates are shown in underline mode.

Permitting

Overall permit numbers for the first quarter of 2024 remain comparable to 2023 (Attachment 2), including 54 land use permits and 244 building permits (a 42% increase in New Single-Family Residences in 2024). Some notable permits include Panda Express, Lakeshore Plaza, Sno-Isle Library, Lakeview Flats and North Village Townhomes (15 units) are currently under review. North Sound Physical Therapy is being built next to the Grocery Outlet. Planet Fitness opened in January. AJ Family Dentistry has restarted its project on 20th Street SE and should be completed next quarter. The two building inspectors have completed 1759 inspections, or 28 per day, which is up 11% from the 2023 first quarter. We have issued two short-term rental renewals – the program seems to have been successful a year in.

Two staff members in the Building Division passed the ICC Accessibility Inspector/Plans Examiner exam, with two more scheduled for early April. The Washington Association of Building Officials Conference was held during the last week of March. Eight staff members spent at least one day each studying for the 2021 Building Codes in preparation for the March 15, 2024 code change.

Code Enforcement

In Quarter 1, there were 32 new cases opened and 34 cases closed. The code enforcement officer has removed 41 illegal signs and continues to coordinate with

businesses in the industrial area to ensure odor requirements are followed. The code enforcement officer continues to work with the PD to monitor and provide outreach to property owners when any graffiti is found on private property. He attended the Spring online Washington Association of Code Enforcement meeting and learned more about private property laws. He also attended the Washington Association of Building Officials Spring Training for the Complete Inspector.

Administration

The Director worked with City Administration and Finance to complete the purchase and sale of the new City Campus. A scope and schedule will be developed over the next quarter, leading to a request for professional services to design the Council Chambers and conduct an infrastructure analysis of the campus.

The Director worked with the City Administration on legislative priorities and reviewed all land use bills during the fast legislative session. No significant land use bills were passed this session. The city's legislative request was approved to begin design work on the new city campus.

The Director has created a draft lease agreement for the museum and will issue a request for architectural services over the next quarter.

The Director continues to coordinate with the city of Everett regarding development options and the extension of utilities through and/or around the transmission line right-of-way to facilitate the development of the property south of the transmission line.

The Building Official facilitated a LEAN improvement process with Snohomish Regional Fire & Rescue, Police, Public Works Engineering, Planning and Code Enforcement related to fire lane / no parking signage and enforcement. The team created a process and are in a testing phase.

The staff worked on file clean-up each Friday in January and partially through February to be consistent with the state retention schedule and improve file storage. This project is on pause due to the volume of applications received before the code change in March. The new administrative assistant will become the lead on this effort.

Staff continues to update internal and external development checklists to improve land use and building permit applications as well as streamline the review process.

APPLICABLE CITY POLICIES:

NA

ATTACHMENTS:

1. Attachment 1 - 2024 Q1 long-range report

2. Attachment 2 - 2024 Q1 permit report



Lake Stevens 2024 Long Range Work Program – Project Status					
Amendments	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
<i>General Zoning Code</i>					
1. Code Clean Up (Various Sections)	PC/CC				Complete – Ordinance 1179
2. Process Code Update 14.16A and 14.16B – Phase 1	CC				Complete – Ordinance 1179
3. Solicitors License – Chapter 4.04 City's solicitors license code is out of date and includes elements that cannot be practically administered. Waiting on response from WSP		<u>CC</u>			Carryover Complete the updates to the city's solicitor's license code to comply with State Patrol requirements.
4. Building Code Update (14.80)	CC				Complete – Ordinance XX
5. Mixed-use Code Update (14.36 and others) On-hold until comp plan is further along.			<u>PC/CC</u>	<u>PC/CC</u>	Carryover – Review the city's mixed-use regulations, both within subareas and designated mixed-use zoning districts.
<i>Comprehensive Plan Zoning Code Implementation</i>					
6. Streets and Sidewalk Code (14.56 and others)			PC/CC	PC/CC	Update streets code to reflect transportation analysis, including multi-modal uses following the Comprehensive Plan. Concurrently, the city will update its EDDS.
7. LS Industrial Center Code Implementation (Various Sections)		PC/CC	PC/CC		Code updates to implement Lake Stevens Industrial Center Analysis.



One Community Around the Lake

Amendments	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
8. Design Review (Various Sections)			PC/CC	PC/CC	Update design review code language to include only “clear and objective standards”, as required by HB 1293. Must be completed by June 2025.
9. Process Code Update Phase II (14.16A and 14.16B)			<u>PC/CC</u>	<u>PC/CC</u>	Code updates to the city’s review process to improve and streamline permit review in accordance with new state law timelines as well as HB 1293 and SB 5290.
10. Housing Action Plan Implementation (Various Sections)			PC/CC	PC/CC	Update infill code and address HB 1220 requirements for permanent supportive housing (PSH) and emergency housing. Update temporary encampment regulations.
11. Park Impact Fees (14.120)	TBD following Comp Plan adoption. Will coordinate with Park Department				Carryover. Update Parks Impact Fees, including methodology and exemptions
<i>Comprehensive Plan</i>					
1. 2024 Periodic Update (All Elements)	PC / CC	PC / CC	PC / CC		Carryover. Complete public engagement, land use alternatives analysis, goal/ policy development, and revised elements and maps. Adoption due by December 2024.



2. Transportation Analysis	PC / CC	PC / CC	PC / CC		Carryover. Complete multi-modal transportation analysis and update of the Comprehensive Plan Transportation Element as part of 2024 Periodic Update.
3. Utilities Element / Sewer Plan Update	TBD. Timeline likely 12-18 months, carrying forward into 2025.				Implementation task for merger with sewer district
Annexations					
1. Explore Annexation of remaining portions of UGA	TBD			There are three remaining areas of UGA (Hwy 92, 12th St NE, and south of 20th St SE) which the city may consider for annexation.	
2. Petition Placeholder	TBD			Process citizen-initiated annexations as requested	
Miscellaneous					
1. Snohomish County Tomorrow / TAC / Alliance for Affordable Housing	Continue participation in SCT, TAC and AHA – report out to PC and Council on actions				
2. Economic Development Marketing Materials	Ongoing				

General Schedule – subject to change based on staff and funding availability.

1st Quarter January through March

2nd Quarter April through June

3rd Quarter July through September

4th Quarter October through December

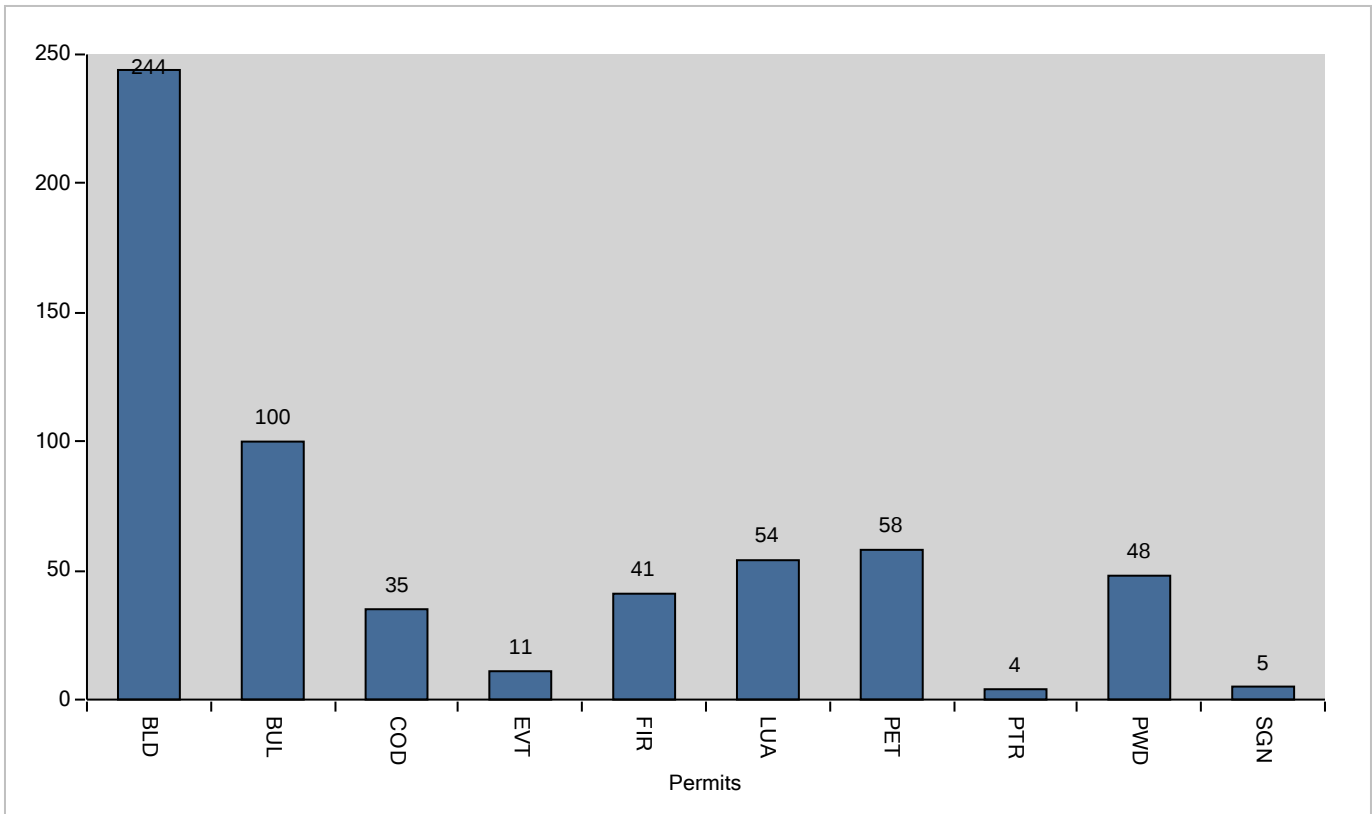


Permit Summary

Attachment 2

3/28/2024 4:10:49 PM

Permits from 01/01/2024 to 03/31/2024



Description	01/01/2024 - 03/31/2024	%	01/01/2023 - 03/31/2023
Total Permits:	600	-0.5%	603
Total Valuation:	\$34,469,327.94	3.5%	\$33,276,412.00
Total Fees:	\$991,280.97	19.7%	\$795,572.41
Total Revenue:	\$681,877.96	2.0%	\$668,417.52
Balance Due:	\$583,350.65		\$167,731.23
Review Comments:	1292 (966.08 hrs)	31.0%	891 (626.73 hrs)
Inspection Comments:	2237 (574.73 hrs)	17.9%	1837 (470.80 hrs)
Total Scheduled Inspections:	2159	28.3%	1547
Active Permits:	16708		

CITY COUNCIL STAFF REPORT



Agenda Date: 4/2/2024

Subject: 2024 Budget Amendment No. 1

Contact Person/Department: Barb Stevens, Finance

Budget Impact: The budget ordinance will amend the beginning and ending balances, revenues and expenditures in the funds set forth in the ordinance.

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

REVIEW: Detail of Ordinance No. 1182 Amending Budget Ordinance No. 1173

SUMMARY/BACKGROUND:

Throughout the year, the City Council authorizes various purchase requests and agreements. At the time of authorization, the budget impact is presented to the Council as part of the information required in order for the Council to make an informed decision. The budget amendment follows to adjust the specific line items that will be affected by purchase or contract award.

Due to revenue receipts and expenditure costs outside the expected values during the 2024 budget process, the 2023 ending fund balances are different from what was adopted in the 2024 budget as beginning balances. The amendments made to beginning fund balances reflect the actual 2023 ending fund balances.

In addition to the beginning balances, amendments are being proposed to revenue and expenditure line items throughout the funds. Proposed amendments are based on changes in estimates (based on prior year actuals and current year actuals to date), prior year budgeted items not completed during the year (need reauthorization), new requests, or other obligations.

Summary of Ordinance 1182 - Amendment #1 to the 2024 Budget - CITYWIDE

Budget Action	Budgeted Beginning Balance	Budgeted Resources	Budgeted Expenditures	Budgeted Ending Balance
2024 Original Budget - 1173	\$55,500,213	\$45,059,504	\$55,341,075	\$45,218,642
Budget Amendment #1 - 1182	\$ 11,813,358	\$23,220,722	\$39,972,526	(\$4,938,446)
Totals	\$67,313,571	\$68,280,226	\$95,313,601	\$40,280,196

Summary of Ordinance 1182 – Amendment #1 to 2024 Budget by FUND

Fund #	Fund Name	Change in Beginning Balance	Change in Resources	Change in Expenditures	Change in Ending Balance
001	General	\$2,222,527	\$669,010	\$2,402,397	\$489,140
101	Street	\$278,456	\$10,000	\$300,429	(\$11,973)
111	Drug Seizure & Forfeiture	\$29,532	\$0	\$0	\$29,532
120	Transportation Benefit Fund	\$30,022	\$0	\$0	\$30,022
216	2024A LTGO Bond - City Campus	\$0	\$573,548	\$418,549	\$154,999
301	Cap. Proj.-Dev. Contrib.	\$114,014	(\$1,959,620)	\$1,679,634	(\$3,525,240)
302	Park Mitigation	(\$53,643)	\$2,690,589	\$2,706,589	(\$69,643)
303	Cap. Imp.-REET	\$118,670	\$0	\$458,743	(\$340,073)
304	Cap. Improvements	\$1,176,202	\$3,219,409	\$4,839,620	(\$444,009)
305	Downtown Redevelopment	\$1,329	\$0	\$0	\$1,329
306	Facility Capital Project	\$12,160	\$14,601,283	\$14,613,443	\$0
307	Infrastructure Capital Project	\$6,980,680	\$3,363,875	\$10,344,555	\$0
309	Sidewalk Capital Project	(\$167,682)	\$0	\$330,000	(\$497,682)
401	Sewer	\$40,140	\$0	\$41,454	(\$1,314)
410	Storm and Surface Water	\$122,626	(\$3,697)	\$217,335	(\$98,406)
411	Storm Water Capital	\$137,367	\$0	\$964,400	(\$827,033)
501	Unemployment	(\$1,888)	\$0	\$0	(\$1,888)
510	Equipment Fund - Computers	\$133,198	\$0	\$104,049	\$29,149
515	Equipment Fund - Vehicles	\$342	\$0	\$0	\$342
520	Equipment Fund-Police	\$340,020	\$0	\$308,217	\$31,803
530	Equipment Fund-PW	\$296,165	\$16,325	\$200,000	\$112,490
633	Treasurer's Trust	\$3,121	\$40,000	\$43,112	\$9
	Total	\$11,813,358	\$23,220,722	\$39,972,526	(\$4,938,446)

Staffing

As previously authorized by the City Council, a Police Records Specialist position has been added to the amended 2024 Organizational Chart. The cost of this position will be partially offset by a grant intended to assist with body worn camera public records requests.

APPLICABLE CITY POLICIES:

In accordance with the Financial Management Policies, Budget Themes and Policies, and the Revised Code of Washington, changes in the adopted budget must be brought before the City Council.

ATTACHMENTS:

1. Ordinance 1182 - 2024 Budget Amendment No. 1 - Draft
2. 2024 Budget Amendment No. 1 - Line-Item Detail
3. 2024 City Organizational Chart - BA1
4. Presentation

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON
ORDINANCE NO. 1182**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2024 BUDGET AS SET FORTH IN ORDINANCE NO. 1173 CONCERNING FUND BALANCES, REVENUES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2024; PROVIDING FOR SUMMARY PUBLICATION BY ORDINANCE TITLE, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake Stevens adopted the 2024 budget pursuant to Ordinance No. 1173; and

WHEREAS, the City of Lake Stevens will receipt revenues and incur expenditures in categories and amounts other than anticipated in the adopted 2024 budget; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO ORDAIN AS FOLLOWS:

SECTION 1. The 2024 budget, as adopted in Ordinance No. 1173, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
001 - General	Beginning Fund Balance	\$22,736,409	\$24,958,936	\$2,222,527	BegBal.
001 - General	Revenues	\$21,874,218	\$22,543,228	\$669,010	Rev.
001 - General	Expenditures	\$28,226,295	\$30,628,692	\$2,402,397	Exp.
001 - General	Ending Fund Balance	\$16,384,332	\$16,873,472	\$489,140	EndBal.
101 - Street	Beginning Fund Balance	\$2,275,591	\$2,554,047	\$278,456	BegBal.
101 - Street	Revenues	\$3,418,448	\$3,428,448	\$10,000	Rev.
101 - Street	Expenditures	\$3,959,629	\$4,260,058	\$300,429	Exp.
101 - Street	Ending Fund Balance	\$1,734,410	\$1,722,437	(\$11,973)	EndBal.
111 - Drug Seizure & Forfeiture	Beginning Fund Balance	\$45,660	\$75,192	\$29,532	BegBal.
111 - Drug Seizure & Forfeiture	Ending Fund Balance	\$11,271	\$40,803	\$29,532	EndBal.
120 - Transportation Benefit	Beginning Fund Balance	\$876,872	\$906,894	\$30,022	BegBal.
120 - Transportation Benefit	Ending Fund Balance	\$930,772	\$960,794	\$30,022	EndBal.
216 - 2024A LTGO Bond - CC	Revenues	\$0	\$573,548	\$573,548	Rev.
216 - 2024A LTGO Bond - CC	Expenditures	\$0	\$418,549	\$418,549	Exp.
216 - 2024A LTGO Bond - CC	Ending Fund Balance	\$0	\$154,999	\$154,999	EndBal.
301 - Cap. Proj - Dev. Contrib.	Beginning Fund Balance	\$5,694,055	\$5,808,069	\$114,014	BegBal.
301 - Cap. Proj - Dev. Contrib.	Revenues	\$2,829,770	\$870,150	(\$1,959,620)	Rev.
301 - Cap. Proj - Dev. Contrib.	Expenditures	\$2,200,000	\$3,879,634	\$1,679,634	Exp.
301 - Cap. Proj - Dev. Contrib.	Ending Fund Balance	\$6,323,825	\$2,798,585	(\$3,525,240)	EndBal.
302 - Park Mitigation	Beginning Fund Balance	\$2,330,527	\$2,276,884	(\$53,643)	BegBal.
302 - Park Mitigation	Revenues	\$2,059,352	\$4,749,941	\$2,690,589	Rev.
302 - Park Mitigation	Expenditures	\$3,364,440	\$6,071,029	\$2,706,589	Exp.
302 - Park Mitigation	Ending Fund Balance	\$1,025,439	\$955,796	(\$69,643)	EndBal.
303 - Cap. Imp. - REET I	Beginning Fund Balance	\$7,540,389	\$7,659,059	\$118,670	BegBal.
303 - Cap. Imp. - REET I	Expenditures	\$792,490	\$1,251,233	\$458,743	Exp.
303 - Cap. Imp. - REET I	Ending Fund Balance	\$7,772,899	\$7,432,826	(\$340,073)	EndBal.
304 - Cap. Imp. - REET II	Beginning Fund Balance	\$5,303,394	\$6,479,596	\$1,176,202	BegBal.
304 - Cap. Imp. - REET II	Revenues	\$1,115,000	\$4,334,409	\$3,219,409	Rev.
304 - Cap. Imp. - REET II	Expenditures	\$2,706,542	\$7,546,162	\$4,839,620	Exp.

304 - Cap. Imp. - REET II	Ending Fund Balance	\$3,711,852	\$3,267,843	(\$444,009)	EndBal.
305 - Downtown Redevelopment	Beginning Fund Balance	\$525,350	\$526,679	\$1,329	BegBal.
305 - Downtown Redevelopment	Ending Fund Balance	\$0	\$1,329	\$1,329	EndBal.
306 - Facility Capital Project	Beginning Fund Balance	\$0	\$12,160	\$12,160	BegBal.
306 - Facility Capital Project	Revenues	\$0	\$14,601,283	\$14,601,283	Rev.
306 - Facility Capital Project	Expenditures	\$0	\$14,613,443	\$14,613,443	Exp.
307 - Infrastructure Capital Project	Beginning Fund Balance	\$0	\$6,980,680	\$6,980,680	BegBal.
307 - Infrastructure Capital Project	Revenues	\$0	\$3,363,875	\$3,363,875	Rev.
307 - Infrastructure Capital Project	Expenditures	\$0	\$10,344,555	\$10,344,555	Exp.
309 - Sidewalk Capital Projects	Beginning Fund Balance	\$754,530	\$586,848	(\$167,682)	BegBal.
309 - Sidewalk Capital Projects	Expenditures	\$100,000	\$430,000	\$330,000	Exp.
309 - Sidewalk Capital Projects	Ending Fund Balance	\$674,530	\$176,848	(\$497,682)	EndBal.
401 - Sewer	Beginning Fund Balance	\$38,555	\$78,695	\$40,140	BegBal.
401 - Sewer	Expenditures	\$794,785	\$836,239	\$41,454	Exp.
401 - Sewer	Ending Fund Balance	\$54,055	\$52,741	(\$1,314)	EndBal.
410 - Storm & Surface Water	Beginning Fund Balance	\$1,952,663	\$2,075,289	\$122,626	BegBal.
410 - Storm & Surface Water	Revenues	\$5,270,760	\$5,267,063	(\$3,697)	Rev.
410 - Storm & Surface Water	Expenditures	\$6,028,250	\$6,245,585	\$217,335	Exp.
410 - Storm & Surface Water	Ending Fund Balance	\$1,195,173	\$1,096,767	(\$98,406)	EndBal.
411 - Storm Water Capital	Beginning Fund Balance	\$4,250,650	\$4,388,017	\$137,367	BegBal.
411 - Storm Water Capital	Expenditures	\$1,478,975	\$2,443,375	\$964,400	Exp.
411 - Storm Water Capital	Ending Fund Balance	\$4,585,650	\$3,758,617	(\$827,033)	EndBal.
501 - Unemployment Fund	Beginning Fund Balance	\$41,297	\$39,409	(\$1,888)	BegBal.
501 - Unemployment Fund	Ending Fund Balance	\$27,297	\$25,409	(\$1,888)	EndBal.
510 - Equip Fund - Computer	Beginning Fund Balance	\$188,251	\$321,449	\$133,198	BegBal.
510 - Equip Fund - Computer	Expenditures	\$607,052	\$711,101	\$104,049	Exp.
510 - Equip Fund - Computer	Ending Fund Balance	\$83,978	\$113,127	\$29,149	EndBal.
515 - Equip Fund - Vehicles CD	Beginning Fund Balance	\$95,436	\$95,778	\$342	BegBal.
515 - Equip Fund - Vehicles CD	Ending Fund Balance	\$118,436	\$118,778	\$342	EndBal.
520 - Equip Fund - Police	Beginning Fund Balance	\$426,117	\$766,137	\$340,020	BegBal.
520 - Equip Fund - Police	Expenditures	\$335,500	\$643,717	\$308,217	Exp.
520 - Equip Fund - Police	Ending Fund Balance	\$445,151	\$476,954	\$31,803	EndBal.
530 - Equip Fund - PW	Beginning Fund Balance	\$424,467	\$720,632	\$296,165	BegBal.
530 - Equip Fund - PW	Revenues	\$330,000	\$346,325	\$16,325	Rev.
530 - Equip Fund - PW	Expenditures	\$642,045	\$842,045	\$200,000	Exp.
530 - Equip Fund - PW	Ending Fund Balance	\$112,422	\$224,912	\$112,490	EndBal.
633 - Treasurer's Trust	Beginning Fund Balance	\$0	\$3,121	\$3,121	BegBal.
633 - Treasurer's Trust	Revenues	\$395,900	\$435,900	\$40,000	Rev.
633 - Treasurer's Trust	Expenditures	\$395,900	\$439,012	\$43,112	Exp.
633 - Treasurer's Trust	Ending Fund Balance	\$0	\$9	\$9	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 1173 shall remain in full force, unchanged.

SECTION 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 9th day of April, 2024.

ATTEST/AUTHENTICATION:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

Brett Gailey, Mayor

Presented: April 2, 2024
Final Reading: April 9, 2024

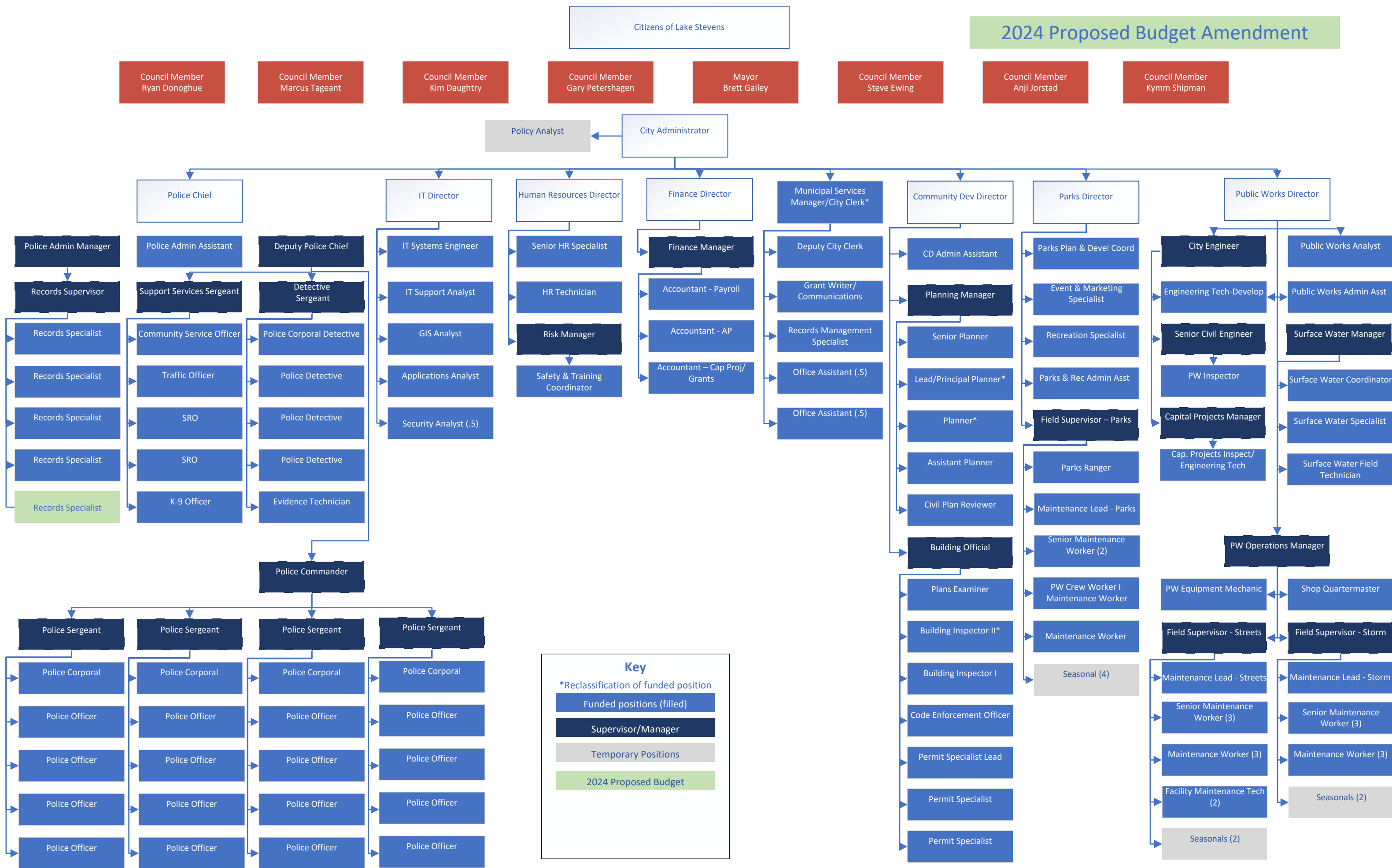
Published:
Effective:

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Operations	General	001	GF - Private Grant (WCIA)	Rev	\$0	\$9,182	\$9,182	WCIA Training Reimbursement Amount	Adj
Operations	PW Equip	530	Surplus PW Capital Equipment	Rev	\$0	\$16,325	\$16,325	Revenues from Surplus Vehicles	Adj
Grant	General	001	DHS Fed Ind 97.012 Boat Safety	Rev	\$0	\$12,148	\$12,148	2024 Boat Safety Grant Funds	Adj
Transfers	PR	004	Interfund Transfer Out	Exp	\$55,462	(\$28,462)	\$27,000	Decrease - Transfer made prior year	Adj
Operations	General	001	Legislative - Voter Reg Fees	Exp	\$50,000	\$5,742	\$55,742	Increased Cost - Voters/Fees	Adj
Operations	General	001	HR-City Training Program	Exp	\$10,000	\$9,182	\$19,182	WCIA Training Reimbursement Amount	Adj
Operations	General	001	LE - Professional Services - Fixed	Exp	\$123,300	\$20,000	\$143,300	Flock Safety - Council Approved	Adj
Operations	General	001	City Attorney	Exp	\$300,000	\$80,000	\$380,000	Increased Costs - Rates & Service Usage	Adj
Operations	General	001	Public Defender	Exp	\$139,050	\$40,800	\$179,850	Increased Costs - Rates	Adj
Operations	General	001	CS- The Mill- Utilities	Exp	\$21,679	\$15,000	\$36,679	Increased Costs - Rates & Usage	Adj
Operations	Street	101	ST - Prof Service - Trees	Exp	\$0	\$50,000	\$50,000	Separate ST/SWM from Parks	Adj
Operations	SWM	410	SW- Prof Service - Trees	Exp	\$0	\$50,000	\$50,000	Separate ST/SWM from Parks	Adj
Operations	IT Cap	510	LR - WaveBroadband Fiber Lease	Exp	\$0	\$7,620	\$7,620	Increase - Budgeted in Error	Adj
Operations	Comp Cap	510	LR - Springbrook	Exp	\$22,000	\$200	\$22,200	Increase Costs - Rate	Adj
Operations	General	001	FI-Professional Service	Exp	\$65,000	\$5,200	\$70,200	RF - Springbrook ESS/Timesheets	RF
Operations	General	001	IT - Professional Services	Exp	\$30,000	\$16,355	\$46,355	RF - Sharepoint, VueWorks	RF
Operations	General	001	LE-Donation Exp - Other	Exp	\$0	\$12,170	\$12,170	RF - Remaining as Placeholder	RF
Operations	General	001	LE-Equipment - New Officers	Exp	\$0	\$65,555	\$65,555	RF - Remaining as Placeholder	RF
Operations	General	001	CS- Grimm House - Operating	Exp	\$0	\$5,000	\$5,000	RF - Remaining as Placeholder	RF
Operations	General	001	CS-Grimm House - Services	Exp	\$0	\$5,000	\$5,000	RF - Remaining as Placeholder	RF
Operations	Street	101	ST-Traffic Control -Utility	Exp	\$5,650	\$15,000	\$20,650	RF - Remaining as Placeholder	RF
Operations	Trust	633	Seizure & Forfeit - State REV	Exp	\$7,000	\$3,087	\$10,087	RF - PY Receipt for Payment	RF
Capital	Comp Cap	510	Computer Capital	Exp	\$98,500	\$96,229	\$194,729	RF - Primary Datacenter Hardware	RF
Capital	General	001	LE-Capital Outlay - Facilities	Exp	\$0	\$34,286	\$34,286	RF - Placeholder for PD Building Repairs	RF
Capital	REET1	303	R1 - Security Cameras	Exp	\$100,000	\$40,195	\$140,195	RF - Placeholder for Citywide Program	RF
Capital	REET2	304	Project Salaries	Exp	\$30,000	\$20,000	\$50,000	Capital Project Placeholder - State L&I Requirement on PW Projects	RF
Capital	REET2	304	Project Benefits	Exp	\$9,600	\$8,000	\$17,600	Capital Project Placeholder - State L&I Requirement on PW Projects	RF
Storm Fees	SWM	410	Storm Drainage Charges	Rev	\$5,091,378	(\$3,697)	\$5,087,681	Storm Water Fees (Required for all parcels, including City owned)	Adj
Storm Fees	General	001	GG-Storm Drainage	Exp	\$33,860	(\$5,331)	\$28,529	Update Fees for City Owned Parcels	Adj
Storm Fees	General	001	CS- Library Storm Drainage	Exp	\$2,300	(\$38)	\$2,262	Update Fees for City Owned Parcels	Adj
Storm Fees	General	001	CS- Museum - Utilities	Exp	\$8,387	\$554	\$8,941	Update Fees for City Owned Parcels	Adj
Storm Fees	General	001	PK-Storm Drainage	Exp	\$40,000	\$6,415	\$46,415	Update Fees for City Owned Parcels	Adj
Storm Fees	Street	101	ST-Storm Drainage	Exp	\$11,100	(\$2,550)	\$8,550	Update Fees for City Owned Parcels	Adj
Storm Fees	SWM	410	SW - Drainage	Exp	\$10,500	(\$2,745)	\$7,755	Update Fees for City Owned Parcels	Adj
Opioid	General	001	Opioid Settlements	Rev	\$25,000	\$139,000	\$164,000	Opioid Settlement Funds	Adj
Opioid	General	001	LE - Supply- Opioid Settlement	Exp	\$10,000	\$15,000	\$25,000	Opioid Settlement Funds - Placeholder	Adj
Comp Plan	General	001	State Commerce - Grants	Rev	\$0	\$52,500	\$52,500	RF - Remaining Grant Funds for Comprehensive Plan Update	RF
Comp Plan	Street	101	Commerce Grants - State	Rev	\$0	\$10,000	\$10,000	RF - Remaining Grant Funds for Comprehensive Plan Update	RF
Comp Plan	Street	101	ST - Prof Services - Comp Plan	Exp		\$47,534	\$47,534	RF - Remaining Budget for Comprehensive Plan Update	RF
OPD	Trust	633	OPD Grant Exp - Arlington	Exp	\$10,800	\$25	\$10,825	RF - Remaining Grant Funds for Public Defencer Social Services	RF
OPD	General	001	Social Worker Program (Grant)	Exp	\$12,720	\$17	\$12,737	RF - Remaining Grant Funds for Public Defencer Social Services	RF
CJTC	General	001	LE - CJTC Grant	Rev	\$0	\$140,220	\$140,220	RF - Remaining Wellness & BWC Public Records Grants	RF
CJTC	General	001	LE-Prof Srv - WellNess Grant	Exp	\$0	\$31,200	\$31,200	RF - Remaining Budget for Wellness Grant	RF
CJTC	General	001	LE - Use of Force - Grant Exp	Exp	\$0	\$15,670	\$15,670	RF - Remaining Budget for Use of Force Grant	RF

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Insurance	General	001	Insurance Recovery	Rev	\$0	\$2,460	\$2,460	WCIA Insurance Recovery for Damaged Vehicle	Adj
Insurance	General	001	LE - Repair & Maint - Equipment	Exp	\$80,000	\$2,460	\$82,460	Increase Budget for Insured Vehicle Repair	Adj
Retainage	Park Mit	302	PW Retainage	Rev	\$10,000	\$190,000	\$200,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Retainage	Park Mit	302	Retainage Release	Exp	\$0	\$206,000	\$206,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Equipment	PW Capital	530	Purchase Of Capital Equipment	Exp	\$172,463	\$200,000	\$372,463	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Equipment	LE Capital	520	Vehicles - Capital Equip	Exp	\$303,000	\$298,707	\$601,707	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Equipment	LE Capital	520	Taser - Capital Equip	Exp	\$18,000	\$5,638	\$23,638	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Equipment	LE Capital	520	Firearm - Capital Equip	Exp	\$14,500	\$3,871	\$18,371	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Liability Ins	General	001	FI-Insurance	Exp	\$102	(\$4)	\$98	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	General	001	LE-Insurance	Exp	\$260,000	\$4,620	\$264,620	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	General	001	PK-Insurance	Exp	\$150,000	\$3,973	\$153,973	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	General	001	GG-Insurance	Exp	\$250,000	(\$6,255)	\$243,745	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	Street	101	ST-Insurance	Exp	\$210,000	(\$4,170)	\$205,830	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	SWM	410	SW-Insurance	Exp	\$250,000	(\$7,676)	\$242,324	WCIA Rates - Actual Rate & Coverages	Adj
L&I Insurance	General	001	Legislative - Workers Comp	Exp	\$270	\$59	\$329	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	Executive - Workers Comp	Exp	\$400	\$85	\$485	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	AD-Workers Comp	Exp	\$315	\$76	\$391	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	CC-Workers Comp	Exp	\$1,200	\$233	\$1,433	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	FI-Workers Comp	Exp	\$1,200	\$278	\$1,478	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	HR-Workers Comp	Exp	\$1,200	\$251	\$1,451	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	IT-Workers Comp	Exp	\$1,020	\$240	\$1,260	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	PL-Workers Comp	Exp	\$5,360	\$1,479	\$6,839	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	PB-Workers Comp	Exp	\$15,700	\$5,110	\$20,810	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	LE-Workers Comp	Exp	\$163,610	\$78,726	\$242,336	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	PK-Workers Comp	Exp	\$35,780	\$11,667	\$47,447	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	General	001	GG-Workers Comp	Exp	\$9,710	\$3,163	\$12,873	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	Street	101	ST-Workers Comp	Exp	\$27,570	\$8,896	\$36,466	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	SWM	410	SW-Workers Comp	Exp	\$41,900	\$13,546	\$55,446	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
Teamsters	General	001	PK-Salaries	Exp	\$1,310,530	\$43,060	\$1,353,590	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	General	001	GG-Salaries Regular	Exp	\$358,800	\$19,910	\$378,710	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	Street	101	ST-Salaries	Exp	\$1,425,880	\$48,410	\$1,474,290	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	SWM	410	SW-Salaries	Exp	\$1,904,820	\$67,210	\$1,972,030	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	General	001	PK-Salaries	Exp	\$1,353,590	\$52,000	\$1,405,590	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	General	001	GG-Salaries Regular	Exp	\$378,710	\$30,000	\$408,710	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	Street	101	ST-Salaries	Exp	\$1,474,290	\$55,000	\$1,529,290	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	SWM	410	SW-Salaries	Exp	\$1,972,030	\$97,000	\$2,069,030	Increased Costs - Teamsters Collective Bargaining - 2024	Adj

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
20th/Main	REET2	304	R2 - 20th & Main Street	Exp	\$0	\$200,000	\$200,000	Reallocate Budget REET2 Capital Project Fund	Adj
131st	Traffic Mit	301	Fee In Lieu of - Sidewalks	Exp	\$0	\$100,000	\$100,000	Updated Project Costs - 131st Sewer Infrastructure	Adj
TBP04 - 117th	Traffic Mit	301	Fee In Lieu of - Sidewalks	Exp	\$0	\$133,000	\$133,000	Update & Increase Project Funds - TBP04 - 117th	Adj
ADA	Sidewalk	309	ADA Crosswalk Improvements	Exp	\$0	\$150,000	\$150,000	RF - Remaining Project Budget - Outstanding Invoices	RF
79th	REET2	304	79th Ave SE Access Road	Exp	\$0	\$50,000	\$50,000	RF - Remaining Budget as Placeholder	RF
Frontier	Park Mit	302	Frontier Heights SnoCo Grant	Rev	\$0	\$45,000	\$45,000	County Grant for Frontier Heights Park - Reauthorize	RF
Frontier	Park Mit	302	Frontier Heights	Exp	\$1,663,440	\$45,000	\$1,708,440	County Grant for Frontier Heights Park - Reauthorize	RF
Frontier	PR	004	PR - Frontier Heights Park P2	Exp	\$84,560	\$18,784	\$103,344	RF - Remaining Budget - Project Not Complete	RF
Frontier	REET2	304	Frontier Heights Pk Redevelop	Exp	\$0	\$502,000	\$502,000	Increase Costs - Updated Project Estimates	Adj
Cedarwood	Park Mit	302	Commerce - Cedarwood	Rev	\$0	\$2,455,589	\$2,455,589	Increase Grant Revenues for Capital Project	Adj
Cedarwood	Park Mit	302	PM - Cedarwood Park	Exp	\$500,000	\$2,455,589	\$2,955,589	Increase Project Budget for Grant Revenues	Adj
Bayview	PR	004	PR - LS Bayview Connector	Exp	\$450,000	\$11,301	\$461,301	RF - Remaining Budget - Project Not Complete	RF
Bayview	REET2	304	R2 - LS Bayview Connector	Exp	\$0	\$500,000	\$500,000	Increase Project Funds - Updated Project Estimates	Adj
Civic Campus	Trust	633	Leasehold Excise Tax	Rev	\$14,000	\$40,000	\$54,000	Increased Revenues - New Commercial Leases	Adj
Civic Campus	Trust	633	Leasehold Excise Tax	Exp	\$14,000	\$40,000	\$54,000	Increased Costs - New Commercial Buildings	Adj
Civic Campus	GFComm	005	Property Leases	Rev	\$80,000	\$313,500	\$393,500	Increased Revenues - New Commercial Leases	Adj
Civic Campus	GFComm	005	Rental Property Utilities	Exp	\$14,735	\$38,366	\$53,101	Increased Costs - New Commercial Buildings	Adj
Civic Campus	GFComm	005	Rental Property R&M	Exp	\$60,000	\$40,000	\$100,000	Increased Costs - New Commercial Buildings	Adj
Civic Campus	GFComm	005	Rental Property Capital	Exp	\$0	\$40,000	\$40,000	Increased Costs - New Commercial Buildings	Adj
Civic Campus	GFComm	005	Transfer out for Debt Service	Exp	\$0	\$150,000	\$150,000	Interfund Transfer to Debt Service Fund	Adj
CC Bond	2024A	216	Investment Interest	Rev	\$0	\$5,000	\$5,000	New Debt Service Fund - Estimated Interest Earnings	Adj
CC Bond	2024A	216	Interfund Transfer In	Rev	\$0	\$568,548	\$568,548	New Debt Service Payment Transfers	Adj
CC Bond	2024A	216	2024A LTGO Principal Pmt	Exp	\$0	\$105,000	\$105,000	New Debt Service Fund	Adj
CC Bond	2024A	216	2024A LTGO Interest Pmt	Exp	\$0	\$313,149	\$313,149	New Debt Service Fund	Adj
CC Bond	2024A	216	2024A LTGO Bond Fees	Exp	\$0	\$400	\$400	New Debt Service Fund	Adj
CC Bond	REET1	303	Transfer Out to 2024A Bond Fund	Exp	\$0	\$418,548	\$418,548	New Debt Service Payment Transfers	Adj
CC Bond	Facility Cap	306	Investment Interest	Rev	\$0	\$70,000	\$70,000	Estimated Interest Earnings	Adj
CC Bond	Facility Cap	306	Property Sale	Rev	\$0	\$3,000,000	\$3,000,000	RF - Estimated Revenues from Property Sale	RF
Museum	Facility Cap	306	Heritage Museum Grant	Rev	\$0	\$764,000	\$764,000	RF - Heritage Grant for Museum	RF
Museum	Facility Cap	306	Transfer In	Rev	\$0	\$530,000	\$530,000	Transfer Funds from Property Sale for Museum to Project Fund	RF
CC Bond	Facility Cap	306	2024A - LTGO Bond Proceeds	Rev	\$0	\$9,610,000	\$9,610,000	Civic Campus Bond Issuance	Adj
CC Bond	Facility Cap	306	2024A - LTGO Bond Premium	Rev	\$0	\$527,283	\$527,283	Civic Campus Bond Issuance	Adj
CC Bond	Facility Cap	306	2024A - LTGO Bond Issuance Fees	Exp	\$0	\$135,792	\$135,792	Civic Campus Bond Issuance	Adj
Civic Campus	Facility Cap	306	FC - Gen Gov't Capital Outlays	Exp	\$0	\$11,776,192	\$11,776,192	Civic Campus Capital Project Budget	Adj
Civic Campus	Facility Cap	306	Culture/Rec Facility Capital	Exp	\$0	\$2,519,300	\$2,519,300	Museum Capital Project Budget	Adj
Civic Campus	Facility Cap	306	Facility CP Salaries	Exp	\$0	\$50,000	\$50,000	Account for Project Related Salaries for City Staff	Adj
Civic Campus	Facility Cap	306	Facility CP Benefits	Exp	\$0	\$20,000	\$20,000	Account for Project Related Benefits for City Staff	Adj
Civic Campus	Facility Cap	306	Retainage	Rev	\$0	\$100,000	\$100,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Civic Campus	Facility Cap	306	Retainage Release	Exp	\$0	\$100,000	\$100,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
PW Shop	General	001	GG - Capital Outlays	Exp	\$0	\$3,500	\$3,500	RF - Remaining Budget for PW Shop Work Project	RF
PW Shop	Street	101	ST-Capital Expenditures	Exp	\$0	\$82,309	\$82,309	RF - Remaining Budget for PW Shop Work Project	RF
Machias LS	REET2	304	CERB Grant	Rev	\$0	\$50,000	\$50,000	RF - CERB Grant for Machias Sewer Infrastructure	RF
Machias LS	REET2	304	Transfer In	Rev	\$0	\$12,159	\$12,159	RF - Local Match Funds - Machias Sewer Infrastructure	RF
Machias LS	Facility Cap	306	Transfer Out	Exp	\$0	\$12,159	\$12,159	RF - Local Match Funds - Machias Sewer Infrastructure	RF

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
TBP02 - 91st	Traffic Mit	301	TZ2- TBP02 - 91st Av SE Sidwtk	Exp	\$500,000	\$100,000	\$600,000	Update & Increase Project Funds - TBP02 - 91st Ave	Adj
TBP02 - 91st	Sidewalk	309	SW-TBP02	Exp	\$0	\$180,000	\$180,000	Update & Increase Project Funds - TBP02 - 91st Ave	Adj
24th/91st	Infrastructure	307	Investment Interest	Rev	\$0	\$2,130	\$2,130	Account for Estimated Investment Interest	Adj
24th/91st	Infrastructure	307	TIB - Grant 17005	Rev	\$0	\$561,745	\$561,745	RF - Remaining TIB Grant Reveues for Project	RF
24th/91st	Infrastructure	307	Traffic Impact - Credit Receipt	Rev	\$0	\$2,800,000	\$2,800,000	RF - Traffic Impact Fee Credit Accounting	RF
24th/91st	Traffic Mit	301	TZ3-17005- 24th St & 91st Ext	Exp	\$343,000	\$1,346,634	\$1,689,634	RF - Remaining Budget - Increase Budget for RAB & Project Costs	Adj
24th/91st	PR	004	PR - 17705 91st/24th	Exp	\$0	\$1,500,000	\$1,500,000	RF - Remaining Project Budget	RF
24th/91st	Infrastructure	307	Project Construction Account	Exp	\$0	\$10,344,555	\$10,344,555	RF - Remaining Budget - Increase Budget for RAB & Project Costs	Adj
24th/91st	SWC	411	SWC - Capital Purchases	Exp	\$559,575	\$964,400	\$1,523,975	RF - Placeholder for Drainage/Wet Land Buyback - Reallocate Costs	Adj
24th/91st	Sewer	401	SE - Capital Outlays	Exp	\$0	\$41,454	\$41,454	Increase Project Budget for Sewer Related Latecomers Revenue	Adj
Main	Traffic Mit	301	FHWA/PSRC Main Street Grant	Rev	\$1,959,620	(\$1,959,620)	\$0	Transfer Grant Revenues to REET2 Capital Project Fund	Adj
Main	REET2	304	FHWA/PSRC Main Street Grant	Rev	\$0	\$3,157,250	\$3,157,250	Transfer & Increase Grant Revenues to REET2 Capital Project Fund	Adj
Main	REET2	304	R2 - Main Street	Exp	\$40,380	\$3,559,620	\$3,600,000	Increase for Grant Revenues & Updated Project Costs	Adj





One Community Around The Lake

2024 Budget Amendment #1

BARB STEVENS – FINANCE

APRIL 2, 2024

Budget Amendment Changes –All Funds

Fund #	Fund Name	Change in Beginning Balance	Change in Resources	Change in Expenditures	Change in Ending Balance
001	General	\$2,222,527	\$669,010	\$2,402,397	\$489,140
101	Street	\$278,456	\$10,000	\$300,429	(\$11,973)
111	Drug Seizure & Forfeiture	\$29,532	\$0	\$0	\$29,532
120	Transportation Benefit Fund	\$30,022	\$0	\$0	\$30,022
216	2024A LTGO Bond - City Campus	\$0	\$573,548	\$418,549	\$154,999
301	Cap. Proj.-Dev. Contrib.	\$114,014	(\$1,959,620)	\$1,679,634	(\$3,525,240)
302	Park Mitigation	(\$53,643)	\$2,690,589	\$2,706,589	(\$69,643)
303	REET 1	\$118,670	\$0	\$458,743	(\$340,073)
304	REET 2	\$1,176,202	\$3,219,409	\$4,839,620	(\$444,009)
305	Downtown Redevelopment	\$1,329	\$0	\$0	\$1,329
306	Facility Capital Project	\$12,160	\$14,601,283	\$14,613,443	\$0
307	Infrastructure Capital Project	\$6,980,680	\$3,363,875	\$10,344,555	\$0
309	Sidewalk Capital Project	(\$167,682)	\$0	\$330,000	(\$497,682)
401	Sewer	\$40,140	\$0	\$41,454	(\$1,314)
410	Storm and Surface Water	\$122,626	(\$3,697)	\$217,335	(\$98,406)
411	Storm Water Capital	\$137,367	\$0	\$964,400	(\$827,033)
501	Unemployment	(\$1,888)	\$0	\$0	(\$1,888)
510	Equipment Fund - Computers	\$133,198	\$0	\$104,049	\$29,149
515	Equipment Fund - Vehicles	\$342	\$0	\$0	\$342
520	Equipment Fund-Police	\$340,020	\$0	\$308,217	\$31,803
530	Equipment Fund-PW	\$296,165	\$16,325	\$200,000	\$112,490
633	Treasurer's Trust	\$3,121	\$40,000	\$43,112	\$9
	Total	\$11,813,358	\$23,220,722	\$39,972,526	(\$4,938,446)

Only the funds listed above are included in the 1st budget amendment.

Budget Amendment Summary

Budget Action	Budgeted Beginning Balance	Budgeted Resources	Budgeted Expenditures	Budgeted Ending Balance
2024 Original Budget - 1173	\$55,500,213	\$45,059,504	\$55,341,075	\$45,218,642
Budget Amendment #1 - 1182	\$ 11,813,358	\$23,220,722	\$39,972,526	(\$4,938,446)
Totals	\$67,313,571	\$68,280,226	\$95,313,601	\$40,280,196

Beginning Balances are estimated during the budget process by attempting to project the receipts and expenditures remaining through yearend, including capital projects. Once 2023 yearend actuals are known, 2024 beginning balances are corrected.

Revenues

- Much of the adjustment is to account for the debt proceeds, property sales, and transfers for the Civic Campus and Museum projects (\$15.3M).
- Most of the re-appropriations are accounting for the 24th & 91st Project sources including grant reimbursement, investment interest and retainage held (\$3.4M).
- Grant funding accounts for nearly \$4M additional

Expenditures

- Re-appropriating and adjusting a total of \$38.3 million in Capital Projects.
 - The Museum and Civic Campus project accounts for more than \$15.6M of that amount. The 24th & 91st Project expenditures (multiple funds) accounts for \$14.2M of that amount. Cedarwood Park project expenditures account for \$1.5M and have corresponding grant funds and Main Street project accounts for \$3.6M with grant funds of \$3.2M
- Re-appropriating approximately \$860,000 operating costs.
- Adjusted operating costs (\$790,000), approximately \$537,000 are personnel related costs and \$167,000 have some corresponding revenue sources.

Various Operational Amendment Details

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Operations	GF	001	Legislative - Voter Reg Fees	Exp	\$50,000	\$5,742	\$55,742	Increased Cost - Voters/Fees	Adj
Operations	GF	001	City Attorney	Exp	\$300,000	\$80,000	\$380,000	Increased Costs - Rates & Service Usage	Adj
Operations	GF	001	Public Defender	Exp	\$139,050	\$40,800	\$179,850	Increased Costs - Rates	Adj
Operations	GF	001	CS- The Mill- Utilities	Exp	\$21,679	\$15,000	\$36,679	Increased Costs - Rates & Usage	Adj
Operations	GF	001	FI-Professional Service	Exp	\$65,000	\$5,200	\$70,200	RF - Springbrook ESS/Timesheets	RF
Operations	GF	001	CS- Grimm House - Operating	Exp	\$0	\$5,000	\$5,000	RF - Remaining as Placeholder	RF
Operations	GF	001	CS-Grimm House - Services	Exp	\$0	\$5,000	\$5,000	RF - Remaining as Placeholder	RF
Transfers	PR	004	Interfund Transfer Out	Exp	\$55,462	(\$28,462)	\$27,000	Decrease - Transfer made prior year	Adj

- Project Column - groups amendments by project or function (*also color-coded*)
- Fund and Fund# Columns shows which fund(s) is being amended (*some projects have amendments in multiple funds*)
- Total Amended Column shows the change being proposed in this amendment
- Column “N” shows Adjustments (Adj) and Roll-forwards (RF)
 - Adjustments are generally made to operating lines due to changes in cost estimates
 - Roll-forwards are the re-appropriation of remaining budgets for continuing projects

Grouped Operation Amendment Details

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Storm Fees	SWM	410	Storm Drainage Charges	Rev	\$5,091,378	(\$3,697)	\$5,087,681	Storm Water Fees (Required for all parcels, including City owned)	Adj
Storm Fees	GF	001	GG-Storm Drainage	Exp	\$33,860	(\$5,331)	\$28,529	Update Fees for City Owned Parcels	Adj
Storm Fees	GF	001	CS- Library Storm Drainage	Exp	\$2,300	(\$38)	\$2,262	Update Fees for City Owned Parcels	Adj
Storm Fees	GF	001	CS- Museum - Utilities	Exp	\$8,387	\$554	\$8,941	Update Fees for City Owned Parcels	Adj
Storm Fees	GF	001	PK-Storm Drainage	Exp	\$40,000	\$6,415	\$46,415	Update Fees for City Owned Parcels	Adj
Storm Fees	ST	101	ST-Storm Drainage	Exp	\$11,100	(\$2,550)	\$8,550	Update Fees for City Owned Parcels	Adj
Storm Fees	SWM	410	SW - Drainage	Exp	\$10,500	(\$2,745)	\$7,755	Update Fees for City Owned Parcels	Adj
Computer	IT	510	LR - WaveBroadband Fiber Lease	Exp	\$0	\$7,620	\$7,620	Increase - Budgeted in Error	Adj
Computer	IT	510	LR - Springbrook	Exp	\$22,000	\$200	\$22,200	Increase Costs - Rate	Adj
Computer	GF	001	IT - Professional Services	Exp	\$30,000	\$16,355	\$46,355	RF - Sharepoint, VueWorks	RF
Computer	IT	510	Computer Capital	Exp	\$98,500	\$96,229	\$194,729	RF - Primary Datacenter Hardware	RF
Police	GF	001	DHS Fed Ind 97.012 Boat Safety	Rev	\$0	\$12,148	\$12,148	2024 Boat Safety Grant Funds	Adj
Police	GF	001	LE - Professional Services - Fixed	Exp	\$123,300	\$20,000	\$143,300	Flock Safety - Council Approved	Adj
Police	GF	001	LE-Donation Exp - Other	Exp	\$0	\$12,170	\$12,170	RF - Remaining as Placeholder	RF
Police	GF	001	LE-Equipment - New Officers	Exp	\$0	\$65,555	\$65,555	RF - Remaining as Placeholder	RF
Police	TR	633	Seizure & Forfeit - State REV	Exp	\$7,000	\$3,087	\$10,087	RF - PY Receipt for Payment	RF
Police	GF	001	LE-Capital Outlay - Facilities	Exp	\$0	\$34,286	\$34,286	RF - Placeholder for PD Building Repairs	RF
Police	LE	520	Vehicles - Capital Equip	Exp	\$303,000	\$298,707	\$601,707	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Police	LE	520	Taser - Capital Equip	Exp	\$18,000	\$5,638	\$23,638	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Police	LE	520	Firearm - Capital Equip	Exp	\$14,500	\$3,871	\$18,371	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF

Project	Description
Storm Fees	Updating and reallocating payment of fees assessed on City owned parcels. These are paid internally to the SWM Fund.
Computer	Reauthorizing IT projects and purchases not yet completed including VueWork & O365 implementation. This amendment also includes adjustments for cost increases for software determined post budget adoption.
Police	Reauthorizing projects and purchases not yet completed, prior year invoices received in the current year, as well as equipment needed for prior year vacant positions. This also includes the annual boat grant revenues and the previously authorized expenditure for the Flock Safety Program.

Grouped Operational Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
PW	PW	530	Surplus PW Capital Equipment	Rev	\$0	\$16,325	\$16,325	Revenues from Surplus Vehicles	Adj
PW	ST	101	ST - Prof Service - Trees	Exp	\$0	\$50,000	\$50,000	Separate ST/SWM from Parks	Adj
PW	SWM	410	SW- Prof Service - Trees	Exp	\$0	\$50,000	\$50,000	Separate ST/SWM from Parks	Adj
PW	ST	101	ST-Traffic Control -Utility	Exp	\$5,650	\$15,000	\$20,650	RF - Remaining as Placeholder	RF
PW	PW	530	Purchase Of Capital Equipment	Exp	\$172,463	\$200,000	\$372,463	RF - Equipment Budget - Items Remain to be Purchased/Invoiced	RF
Teamsters	GF	001	PK-Salaries	Exp	\$1,310,530	\$43,060	\$1,353,590	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	GF	001	GG-Salaries Regular	Exp	\$358,800	\$19,910	\$378,710	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	ST	101	ST-Salaries	Exp	\$1,425,880	\$48,410	\$1,474,290	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	SWM	410	SW-Salaries	Exp	\$1,904,820	\$67,210	\$1,972,030	Increased Costs - Teamsters Collective Bargaining - Retro Pay 2023	Adj
Teamsters	GF	001	PK-Salaries	Exp	\$1,353,590	\$52,000	\$1,405,590	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	GF	001	GG-Salaries Regular	Exp	\$378,710	\$30,000	\$408,710	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	Street	101	ST-Salaries	Exp	\$1,474,290	\$55,000	\$1,529,290	Increased Costs - Teamsters Collective Bargaining - 2024	Adj
Teamsters	SWM	410	SW-Salaries	Exp	\$1,972,030	\$97,000	\$2,069,030	Increased Costs - Teamsters Collective Bargaining - 2024	Adj

Project	Description
PW	Reauthorizing projects and purchases not yet completed. Also adjusting revenues for the sale of surplus equipment and adding budget for tree services. Previously all tree services were budgeted in the Parks department which does not accurately reflect actual usage.
Teamsters	Adjusts wage budgets for 2023 Retro Pay per the Teamsters Collective Bargaining Agreement
Teamsters	Adjusts the budget for the approved Teamsters Collective Bargaining Agreement for 2024 wages.

Grouped Operational Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Opioid	GF	001	Opioid Settlements	Rev	\$25,000	\$139,000	\$164,000	Opioid Settlement Funds	Adj
Opioid	GF	001	LE - Supply- Opioid Settlement	Exp	\$10,000	\$15,000	\$25,000	Opioid Settlement Funds - Placeholder	Adj
WCIA	GF	001	GF - Private Grant (WCIA)	Rev	\$0	\$9,182	\$9,182	WCIA Training Reimbursement Amount	Adj
WCIA	GF	001	HR-City Training Progam	Exp	\$10,000	\$9,182	\$19,182	WCIA Training Reimbursement Amount	Adj
Comp Plan	GF	001	State Commerce - Grants	Rev	\$0	\$52,500	\$52,500	RF - Remaining Grant Funds for Comprehensive Plan Update	RF
Comp Plan	ST	101	Commerce Grants - State	Rev	\$0	\$10,000	\$10,000	RF - Remaining Grant Funds for Comprehensive Plan Update	RF
Comp Plan	ST	101	ST - Prof Services - Comp Plan	Exp		\$47,534	\$47,534	RF - Remaining Budget for Comprehensive Plan Update	RF
OPD	TR	633	OPD Grant Exp - Arlington	Exp	\$10,800	\$25	\$10,825	RF - Remaining Grant Funds for Public Defencer Social Services	RF
OPD	GF	001	Social Worker Program (Grant)	Exp	\$12,720	\$17	\$12,737	RF - Remaining Grant Funds for Public Defencer Social Services	RF
CJTC	GF	001	LE - CJTC Grant	Rev	\$0	\$140,220	\$140,220	RF - Remaining Wellness & BWC Public Records Grants	RF
CJTC	GF	001	LE-Prof Srv - Wellness Grant	Exp	\$0	\$31,200	\$31,200	RF - Remaining Budget for Wellness Grant	RF
CJTC	GF	001	LE - Use of Force - Grant Exp	Exp	\$0	\$15,670	\$15,670	RF - Remaining Budget for Use of Force Grant	RF
Ins Recovery	GF	001	Insurance Recovery	Rev	\$0	\$2,460	\$2,460	WCIA Insurance Recovery for Damaged Vehicle	Adj
Ins Recovery	GF	001	LE - Repair & Maint - Equipment	Exp	\$80,000	\$2,460	\$82,460	Increase Budget for Insured Vehicle Repair	Adj

Project	Description
Opioid	Accounting for the Opioid Settlement funds authorized to date (additional settlement amounts are unknown) & placeholder for the use of the funds
WCIA	Accounting for training reimbursements from Washington Cities Insurance Authority and the corresponding expenses.
Comp Plan	Rolling forward the remaining grant funds and related expenses to complete the Comprehensive Plan Update.
OPD	Rolling forward the remaining expense budget related to the Office of Public Defense Social Worker Grant.
CJTC	Rolling forward remaining revenues and expenses related to the Criminal Justice Training Center Wellness, Use of Force Training, and Body Work Camera Records Grants. We are not increasing the wage budgets for the BWC grant at this time due to current salary savings. Wage budgets will be increased once the Guild Collective Bargaining Agreement is settled.
Ins Recovery	Insurance Recovery for damage police vehicle & corresponding repair budget

Grouped Operational Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Liability Ins	GF	001	FI-Insurance	Exp	\$102	(\$4)	\$98	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	GF	001	LE-Insurance	Exp	\$260,000	\$4,620	\$264,620	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	GF	001	PK-Insurance	Exp	\$150,000	\$3,973	\$153,973	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	GF	001	GG-Insurance	Exp	\$250,000	(\$6,255)	\$243,745	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	ST	101	ST-Insurance	Exp	\$210,000	(\$4,170)	\$205,830	WCIA Rates - Actual Rate & Coverages	Adj
Liability Ins	SWM	410	SW-Insurance	Exp	\$250,000	(\$7,676)	\$242,324	WCIA Rates - Actual Rate & Coverages	Adj
L&I Insurance	GF	001	Legislative - Workers Comp	Exp	\$270	\$59	\$329	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	Executive - Workers Comp	Exp	\$400	\$85	\$485	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	AD-Workers Comp	Exp	\$315	\$76	\$391	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	CC-Workers Comp	Exp	\$1,200	\$233	\$1,433	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	FI-Workers Comp	Exp	\$1,200	\$278	\$1,478	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	HR-Workers Comp	Exp	\$1,200	\$251	\$1,451	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	IT-Workers Comp	Exp	\$1,020	\$240	\$1,260	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	PL-Workers Comp	Exp	\$5,360	\$1,479	\$6,839	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	PB-Workers Comp	Exp	\$15,700	\$5,110	\$20,810	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	LE-Workers Comp	Exp	\$163,610	\$78,726	\$242,336	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	PK-Workers Comp	Exp	\$35,780	\$11,667	\$47,447	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	GF	001	GG-Workers Comp	Exp	\$9,710	\$3,163	\$12,873	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	ST	101	ST-Workers Comp	Exp	\$27,570	\$8,896	\$36,466	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj
L&I Insurance	SWM	410	SW-Workers Comp	Exp	\$41,900	\$13,546	\$55,446	L&I Rate Increase - 4.9% Inc + Claims Experience	Adj

Project	Description
Liability Ins	Decreased budget estimates based on actual rates and coverages on city assets.
L&I Insurance	Adjusting the worker compensation benefits budget due to Labor & Industries' 4.9% statewide rate increase as well as increases caused by actual claims paid.

Grouped Capital Amendment Details

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Capital Wages	R2	304	Project Salaries	Exp	\$30,000	\$20,000	\$50,000	Account for Project Related Salaries for City Staff	RF
Capital Wages	R2	304	Project Benefits	Exp	\$9,600	\$8,000	\$17,600	Account for Project Related Benefits for City Staff	RF
Capital Wages	FC	306	Facility CP Salaries	Exp	\$0	\$50,000	\$50,000	Account for Project Related Salaries for City Staff	Adj
Capital Wages	FC	306	Facility CP Benefits	Exp	\$0	\$20,000	\$20,000	Account for Project Related Benefits for City Staff	Adj
Retainage	FC	306	Retainage	Rev	\$0	\$100,000	\$100,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Retainage	FC	306	Retainage Release	Exp	\$0	\$100,000	\$100,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Retainage	PM	302	PW Retainage	Rev	\$10,000	\$190,000	\$200,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Retainage	PM	302	Retainage Release	Exp	\$0	\$206,000	\$206,000	Capital Project Placeholder - State L&I Requirement on PW Projects	Adj
Security Cam	R1	303	R1 - Security Cameras	Exp	\$100,000	\$40,195	\$140,195	RF - Placeholder for Citywide Program	RF
PW Shop	GF	001	GG - Capital Outlays	Exp	\$0	\$3,500	\$3,500	RF - Remaining Budget for PW Shop Work Project	RF
PW Shop	ST	101	ST-Capital Expenditures	Exp	\$0	\$82,309	\$82,309	RF - Remaining Budget for PW Shop Work Project	RF
131st	TM	301	Fee In Lieu of - Mitigation	Exp	\$0	\$100,000	\$100,000	Updated Project Costs - 131st Infrastructure Improvements	Adj
Machias LS	R2	304	CERB Grant	Rev	\$0	\$50,000	\$50,000	RF - CERB Grant for Machias Sewer Infrastructure	RF
Machias LS	R2	304	Transfer In	Rev	\$0	\$12,159	\$12,159	RF - Local Match Funds - Machias Sewer Infrastructure	RF
Machias LS	FC	306	Transfer Out	Exp	\$0	\$12,159	\$12,159	RF - Local Match Funds - Machias Sewer Infrastructure	RF

Project	Description
Capital Wages	Accounting for Salaries/Benefits for City Staff when working on capital projects
Retainage	Placeholders for State Labor & Industries required retainage held and released on Public Works projects.
Security Cam	Rolls forward remaining project funds for the citywide security cameral program.
PW Shop	Reauthorizes the remaining budgets for the PW Shop Feasibility project.
131st	Increase budget for updated project costs for improvements along 131 st Ave NE from 20 th St NE to Hartford Dr.
Machias LS	Reauthorizes and reallocate the remaining grant funds and local expenditures for the Machias Sewer Infrastructure project to a different fund. Utilizing the Facilities Capital Fund (306) for the Civic Campus & Museum projects.

Grouped Capital Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Commercial	TR	633	Leasehold Excise Tax	Rev	\$14,000	\$40,000	\$54,000	Increased Revenues - New Commercial Leases	Adj
Commercial	TR	633	Leasehold Excise Tax	Exp	\$14,000	\$40,000	\$54,000	Increased Costs - New Commercial Buildings	Adj
Commercial	GF	005	Property Leases	Rev	\$80,000	\$313,500	\$393,500	Increased Revenues - New Commercial Leases	Adj
Commercial	GF	005	Rental Property Utilites	Exp	\$14,735	\$38,366	\$53,101	Increased Costs - New Commercial Buildings	Adj
Commercial	GF	005	Rental Property R&M	Exp	\$60,000	\$40,000	\$100,000	Increased Costs - New Commercial Buildings	Adj
Commercial	GF	005	Rental Property Capital	Exp	\$0	\$40,000	\$40,000	Increased Costs - New Commercial Buildings	Adj
Commercial	GF	005	Transfer out for Debt Service	Exp	\$0	\$150,000	\$150,000	Interfund Transfer to Debt Service Fund	Adj
CC Bond	Debt	216	Investment Interest	Rev	\$0	\$5,000	\$5,000	New Debt Service Fund - Estimated Interest Earnings	Adj
CC Bond	Debt	216	Interfund Transfer In	Rev	\$0	\$568,548	\$568,548	New Debt Service Payment Transfers	Adj
CC Bond	Debt	216	2024A LTGO Principal Pmt	Exp	\$0	\$105,000	\$105,000	New Debt Service Fund	Adj
CC Bond	Debt	216	2024A LTGO Interest Pmt	Exp	\$0	\$313,149	\$313,149	New Debt Service Fund	Adj
CC Bond	Debt	216	2024A LTGO Bond Fees	Exp	\$0	\$400	\$400	New Debt Service Fund	Adj
CC Bond	R1	303	Transfer Out to 2024A Bond Fund	Exp	\$0	\$418,548	\$418,548	New Debt Service Payment Transfers	Adj
Civic Campus	FC	306	Investment Interest	Rev	\$0	\$70,000	\$70,000	Estimated Interest Earnings	Adj
Civic Campus	FC	306	Property Sale	Rev	\$0	\$3,000,000	\$3,000,000	RF - Estimated Revenues from Property Sale	RF
Civic Campus	FC	306	2024A - LTGO Bond Proceeds	Rev	\$0	\$9,610,000	\$9,610,000	Civic Campus Bond Issuance	Adj
Civic Campus	FC	306	2024A - LTGO Bond Premium	Rev	\$0	\$527,283	\$527,283	Civic Campus Bond Issuance	Adj
Civic Campus	FC	306	2024A - LTGO Bond Issuance Fees	Exp	\$0	\$135,792	\$135,792	Civic Campus Bond Issuance	Adj
Civic Campus	FC	306	FC - Gen Gov't Capital Outlays	Exp	\$0	\$11,776,192	\$11,776,192	Civic Campus Capital Project Budget	Adj
Museum	FC	306	Heritage Museum Grant	Rev	\$0	\$764,000	\$764,000	RF - Heritage Grant for Museum	RF
Museum	FC	306	Transfer In	Rev	\$0	\$530,000	\$530,000	Transfer Funds from Property Sale for Museum to Project Fund	RF
Museum	FC	306	Culture/Rec Facility Capital	Exp	\$0	\$2,519,300	\$2,519,300	Museum Capital Project Budget	Adj

Project	Description
Commercial	Accounting for revenues & expenditures related to the new commercial buildings.
CC Bond	Accounting for transfers into and debt service payments from the new 2024A LTGO Bond Fund.
Civic Campus	Accounting for the bond proceeds, property sales, and interest revenues and corresponding capital project expenses for the Civic Campus and related project.
Museum	Accounting for and reallocating the Heritage grant, property sales revenues and corresponding project expenses to the Facility Capital fund.

Grouped Capital Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
Frontier	PM	302	Frontier Heights SnoCo Grant	Rev	\$0	\$45,000	\$45,000	County Grant for Frontier Heights Park - Reauthorize	RF
Frontier	PM	302	Frontier Heights	Exp	\$1,663,440	\$45,000	\$1,708,440	County Grant for Frontier Heights Park - Reauthorize	RF
Frontier	PR	004	PR - Frontier Heights Park P2	Exp	\$84,560	\$18,784	\$103,344	RF - Remaining Budget - Project Not Complete	RF
Frontier	R2	304	Frontier Heights Pk Redevelop	Exp	\$0	\$502,000	\$502,000	Increase Costs - Updated Project Estimates	Adj
Cedarwood	PM	302	Commerce - Cedarwood	Rev	\$0	\$2,455,589	\$2,455,589	Increase Grant Revenues for Capital Project	Adj
Cedarwood	PM	302	PM - Cedarwood Park	Exp	\$500,000	\$2,455,589	\$2,955,589	Increase Project Budget for Grant Revenues	Adj
Bayview	PR	004	PR - LS Bayview Connector	Exp	\$450,000	\$11,301	\$461,301	RF - Remaining Budget - Project Not Complete	RF
Bayview	R2	304	R2 - LS Bayview Connector	Exp	\$0	\$500,000	\$500,000	Increase Project Funds - Updated Project Estimates	Adj
ADA	SW	309	ADA Crosswalk Improvements	Exp	\$0	\$150,000	\$150,000	RF - Remaining Project Budget - Outstanding Invoices	RF
TBP04 - 117th	TM	301	Fee In Lieu of - Sidewalks	Exp	\$0	\$133,000	\$133,000	Update & Increase Project Funds - TBP04 - 117th	Adj
TBP02 - 91st	TM	301	TZ2- TBP02 - 91st Av SE Sidwlk	Exp	\$500,000	\$100,000	\$600,000	Update & Increase Project Funds - TBP02 - 91st Ave	Adj
TBP02 - 91st	SW	309	SW-TBP02	Exp	\$0	\$180,000	\$180,000	Update & Increase Project Funds - TBP02 - 91st Ave	Adj

Project	Description
Frontier	Reauthorizes remaining grant funds and expenditures for the Frontier Heights Park project and increases the budget based on updated project estimates.
Cedarwood	Accounting for increased grant revenues and corresponding capital project expenditures for the Cedarwood Park project.
Bayview	Reauthorizing remaining prior year budget and increasing the budget based on updated project estimates for the Lake Stevens Bayview Connector Trail.
ADA	Reauthorizing a portion of remaining project budget to account for invoices not yet received.
TBP04 – 117th	Allocate additional funding source to transportation benefit project TBP04 - 117 th Ave NE Sidewalk (20 th to 26 th St NE) for updated project cost estimates. Project includes ROW, frontage improvements, and stormwater
TBP02 – 91st	Allocate additional funding sources to transportation benefit project TBP02 – 91 st Ave SE Sidewalk (4 th to Market) for updated project cost estimates. Project includes ROW, frontage improvements, and stormwater.

Grouped Capital Amendment Details - Continued

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes	N
79th Ave	R2	304	79th Ave SE Access Road	Exp	\$0	\$50,000	\$50,000	RF - Remaining Budget as Placeholder	RF
24th/91st	IC	307	Investment Interest	Rev	\$0	\$2,130	\$2,130	Account for Estimated Investment Interest	Adj
24th/91st	IC	307	TIB - Grant 17005	Rev	\$0	\$561,745	\$561,745	RF - Remaining TIB Grant Revenues for Project	RF
24th/91st	IC	307	Traffic Impact - Credit Receipt	Rev	\$0	\$2,800,000	\$2,800,000	RF - Traffic Impact Fee Credit Accounting	RF
24th/91st	TM	301	TZ3-17005- 24th St & 91st Ext	Exp	\$343,000	\$1,346,634	\$1,689,634	RF - Remaining Budget - Increase Budget for RAB & Project Costs	Adj
24th/91st	PR	004	PR - 17705 91st/24th	Exp	\$0	\$1,500,000	\$1,500,000	RF - Remaining Project Budget	RF
24th/91st	IC	307	Project Construction Account	Exp	\$0	\$10,344,555	\$10,344,555	RF - Remaining Budget - Increase Budget for RAB & Project Costs	Adj
24th/91st	SWC	411	SWC - Capital Purchases	Exp	\$559,575	\$964,400	\$1,523,975	RF - Placeholder for Drainage/Wet Land Buyback - Reallocate Costs	Adj
24th/91st	SE	401	SE - Capital Outlays	Exp	\$0	\$41,454	\$41,454	Increase Project Budget for Sewer Related Latecomers Revenue	Adj
20th/Main	R2	304	R2 - 20th & Main Street	Exp	\$0	\$200,000	\$200,000	Reallocate Budget REET2 Capital Project Fund	Adj
Main	TM	301	FHWA/PSRC Main Street Grant	Rev	\$1,959,620	(\$1,959,620)	\$0	Transfer Grant Revenues to REET2 Capital Project Fund	Adj
Main	R2	304	FHWA/PSRC Main Street Grant	Rev	\$0	\$3,157,250	\$3,157,250	Transfer & Increase Grant Revenues to REET2 Capital Project Fund	Adj
Main	R2	304	R2 - Main Street	Exp	\$40,380	\$3,559,620	\$3,600,000	Increase for Grant Revenues & Updated Project Costs	Adj

Project	Description
79th Ave	Reauthorizes remaining budget as placeholder for the 79 th Ave SE Access Road. Funds may be reallocated if project is moved to 2025 based on priorities.
24th/91st	Reauthorizes the remaining funding and expenditures for the project not yet complete/invoiced. Also accounts for the increased investment interest expected, project related staff time, as well as retainage & release of retainage. This project is accounted for in multiple funds; this amendment includes all applicable funds based on updated cost estimates.
20th/Main	Reallocate budget from Transportation Benefit fund to REET2 to allow for additional allocation of TBP funds to current sidewalk projects (TBP02 – 04)
Main	Reauthorizing and reallocating project budgets to account for additional grant funding. Reallocated budgeted funding sources to allow for more sidewalk and park projects to be completed.

Staffing Updates

Police Department:

Police Records Specialist

The Police Department received a grant to assist with Body Worn Camera records requests. An eligible use of the grant is to expand staffing and would reimburse that cost for up to 5 months. In March, a request was made to Council to accept the grant and authorize an additional fulltime Police Records Specialist position for the entire year (versus a temporary).

This amendment:

- Increases the budget for the grant revenues
- Updates the organizational chart to add (1) Police Record Specialist FTE
 - NO budget amendment required to increase salary/benefits due to current savings.

Additional Budget Considerations

- Volunteers of America Request \$65,000
- Guild Agreement

2024 General Operating Fund Estimated Ending Balance increased \$421,000

CITY COUNCIL STAFF REPORT



Agenda Date: 4/2/2024

Subject: Stormwater Fees

Contact Person/Department: Shannon Farrant, Public Works

Budget Impact: None

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Discussion regarding levels of service for updating the stormwater utility fee rates in 2025 - 2027.

SUMMARY/BACKGROUND:

The City's Stormwater Utility manages all stormwater on public lands, streets, and right-of-ways. A rate study conducted in 2018 set rates for the stormwater utility for 2019 - 2024. Stormwater utility fees are billed to property owners based on an equivalent service unit (ESU) model. Ordinance 2018-022 adopted the ESU Model and level of service (LOS) 3 from the 2018 rate study. This level of service set rates to fund current and future operational costs for stormwater management, National Pollution Discharge Elimination Systems (NPDES) permit compliance costs, and critical capital projects.

City staff are conducting another rate study in 2024 to evaluate current rates and update rates based on levels of services provided to the community from the fees collected. This presentation will review the level of service chosen in the 2018 rate study and evaluate additional level of service options as well as necessary data inputs to adequately evaluate rates. This presentation is intended to facilitate a discussion on the scope of the level of services presented to guide staff in the data analysis.

The four levels of services for discussion include:

1. Existing rate structure considering economic and inflation factors + NPDES, Lake Management, Infrastructure Condition and 2018 Capital Projects
 2. Private Facility Maintenance
-

3. High-priority capital projects
4. Property Acquisition Fund

Stormwater utility connection fees are another revenue source that may be used to support stormwater management. This fee has been adopted by other jurisdictions and could be used to supplement the stormwater utility fee to meet the desired level of service. A discussion about the interest of establishing a stormwater utility connection fee will be included in the presentation.

Staff are looking for direction from the City Council on the scope of levels of service presented and interest in a stormwater utility connection fee to compile data and run the analysis. Results will be presented to the Council in June for further discussion.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 20240402_city council workshop_scope LOS



One Community Around The Lake

2024 Stormwater Rate Study

CITY COUNCIL WORKSHOP

APRIL 2, 2024

SHANNON FARRANT, SURFACE WATER MANAGER



Overview

- Objective of 2024 Rate Study
- 2018 Rate Study History
- Level of Service Discussion
- Utility Connection
- Preliminary Jurisdiction SWM Fee Comparisons
- Timeline
- Discussion

- Update SWM Fee Rate Schedule for 2025 – 2027
 - Rates will be set for a 3-year timeframe while Public Works conducts an assessment of asset conditions
- Reevaluate the level of service requirements
- Improve management of the stormwater utility



Background

- SWM Fees – stormwater management utility fees
- Last Rate Study 2018
- Billing – annual by Snohomish County on property tax statement
 - Except School District, Post Office, and Sewer District
- ESU Model – Equivalent Service Unit
- Current fee schedule ends in 2024
- Lake Stevens Municipal Code Chapter 11.04

Estimate Total ESUs 17,000

Table IA: Stormwater Management Utility

Type	Impervious Area per Equivalent Service Unit	Annual Rate per
Residential and Multifamily Residential with Five or Fewer Units ¹	NA	\$220 Year 2019 \$235 Year 2020 \$242 Year 2021 \$250 Year 2022 \$257 Year 2023 \$265 Year 2024
All Other Customers, Including Commercial and Multifamily Residential with Six or More Units	3,000 square feet	\$220 Year 2019 \$235 Year 2020 \$242 Year 2021 \$250 Year 2022 \$257 Year 2023 \$265 Year 2024
Undeveloped ²	NA	No Charge
State Highways		Set in accordance with RCW 90.03.525
Low Income Senior or Disabled Exemption		Set in accordance with Snohomish County guidelines

Four Levels of Service

- 2018 – City Council adopted LOS 3

City of Lake Stevens: Surface Water Utility		Single Family Annual Rate			Operations & Staffing	Capital
Level of Service Matrix		2018 (existing)	2019	2024		
LOS 1: Fix Operating Deficit		\$104	\$167	\$193	- Fund Existing Operating & Staffing - Current operating deficit (\$600k). - Additional Street Cleaning (add'l \$12k/yr.) - Total of \$24k/yr. - Additional Lake Treatment (add'l \$50k/yr.) - Total of \$250k/yr. - Senior Engineer (\$56k/yr for Storm). - PW OPs Manager (\$60k/yr for Storm).	Minimal; outside funding dependent.
LOS 2: Additional Stormwater Facility Maintenance to Meet NPDES Requirements		\$0	\$33	\$56	Required as Part of NPDES Permit - Vactor crew (3) - Inspector (1) - GIS tech (1)	\$1.6 million equipment (vactor truck, street sweeper, dump truck, truck, tool shed, misc. tools & equipment) \$1.2 million in loans.
Subtotal (LOS 1 + 2)		\$104	\$200	\$250		
LOS 3: High Priority Capital		\$0	\$20	\$15	No additional.	\$1.4 million in capital \$900,000 in loans/financing.
Subtotal (LOS 1 + 2 +3)		\$104	\$220	\$265		
LOS 4: Medium Priority Capital		\$0	\$32	\$32	No additional.	\$3.2 million in capital \$2.3 million in revenue bonds.
Grand Total		\$104	\$252	\$296		

Background

- 2018 – LOS 3 Capital Project Status

Project Description	Total SWM	Other Funding Sources	Total Project Cost	Status
Catherine Creek 36th ST Bridge Repair	\$ 150,000.00		\$ 150,000.00	2024 Budget - \$250,000: Repair and replacement Design. 2021: Replacement alternatives analysis - Complete
Replace/Install Pipe: SW corner 8th ST, 83rd to 79th	\$ 100,000.00		\$ 100,000.00	
Replace/Install Pipe: 10th ST from 79th ST to 74th ST	\$ 180,000.00		\$ 180,000.00	
New drainage pipe on Callow Road	\$ 30,000.00		\$ 30,000.00	Complete
8th ST CMP - install 60' from intersection on 91st heading west	\$ 30,000.00		\$ 30,000.00	
Hydraulic Study on Lake Stevens Outfall	\$ 75,000.00	\$ 225,000.00	\$ 300,000.00	2021: Hydraulic Study - Complete 2021 - 2023: Conceptual designs for all projects identified on Outlet Channel - Complete 2024: 30+% design and permitting: new weir - In-progress
Main ST box culvert for outfall project, stream channel restoration. Outfall restoration project. Grant funded 95%	\$ 225,000.00	\$4,275,000.00	\$ 4,500,000.00	2021 - 2023: Conceptual design for crossing and channel restoration - Complete
Stormwater System in cul-de-sac: 17th PL/114th	\$ 80,000.00		\$ 80,000.00	Complete
Culvert under 20th S, east of 79 th	\$ 40,000.00		\$ 40,000.00	Complete
Public Works Shop Remodel	\$ 300,000.00	\$ 300,000.00	\$ 600,000.00	2021: Complete
Decant Facility Plans and Construction	\$ 137,313.00	\$ 411,938.00	\$ 549,251.00	Complete
Fuel Station at Public Works	\$ 50,000.00	\$ 50,000.00	\$ 100,000.00	Complete
Bridge on West End of Vernon Road	\$ 50,000.00		\$ 50,000.00	Complete
Total	\$ 1,447,313.00	\$5,261,938.00	\$ 6,709,251.00	

2024 Rate Study Proposed Levels of Service

Level of Service ONE: Baseline

Existing rate structure considering economic and inflation factors + NPDES, Lake Management, Infrastructure Condition and 2018 Capital Projects

Level of Service TWO:

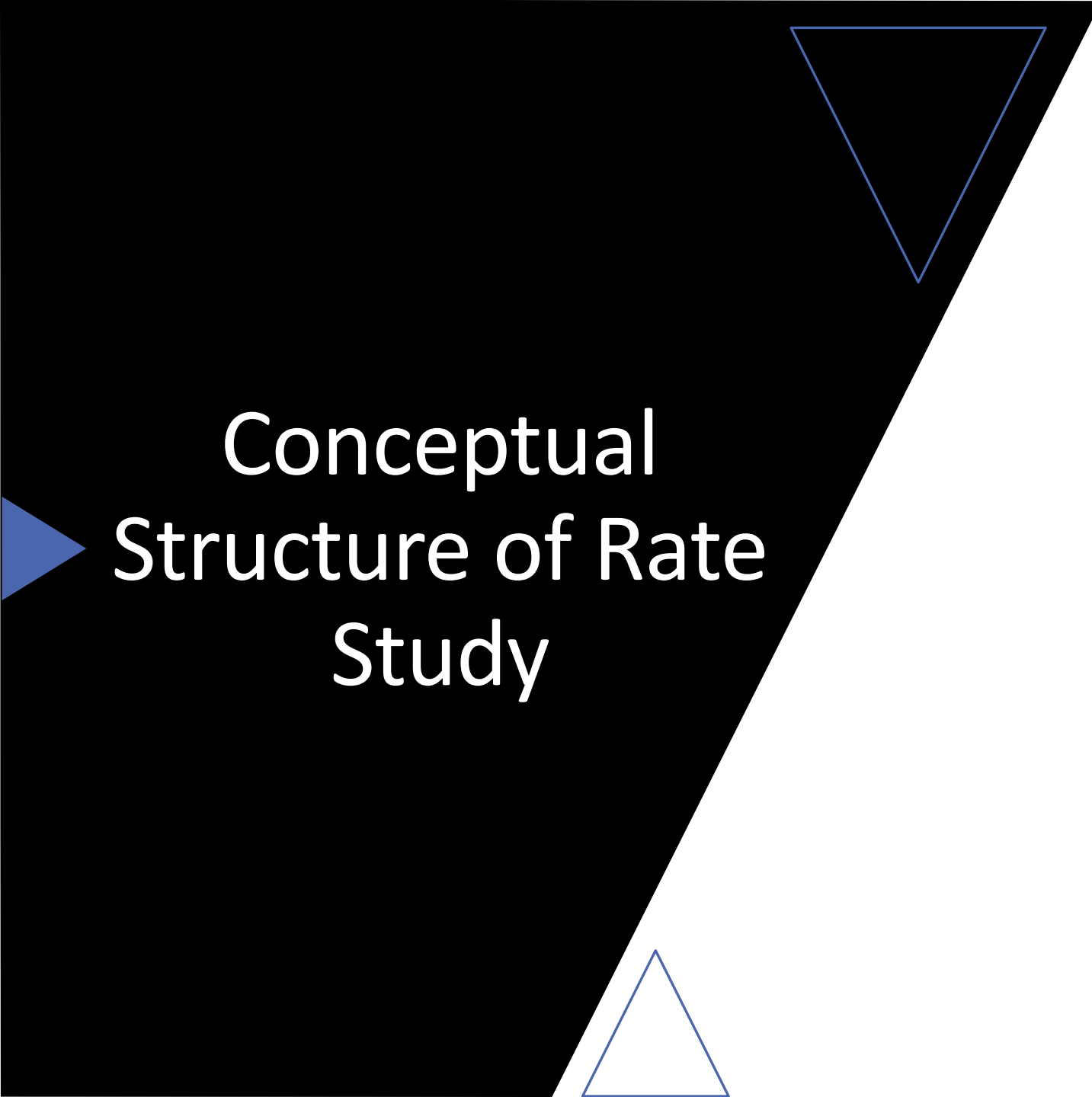
Private Facility Maintenance

Level of Service THREE:

High-priority capital projects
Consider including a stormwater connection charge

Level of Service FOUR:

Property Acquisition Fund
Consider including a stormwater connection charge



Conceptual Structure of Rate Study

- ☐ LOS 1 = Baseline Rate
- ☐ LOS 2, 3, and 4 – Additional LOSs that can be added to LOS 1
- ☐ Rates calculated per ESU
- ☐ ESU model continues to be used
- ☐ Administration and management of billing rates remain with the County

Data Requirements

LOS 1

Existing rate structure considering economic and inflation factors + New NPDES Permit Requirements, Lake Management, and an Infrastructure Condition Assessment

LOS 1 – Data Requirements

- NPDES Requirements
 - Administer permit
 - Subarea basin planning
- Lake Management
 - WQ monitoring
 - Alum
 - Weed Treatment
 - Stream WQ monitoring
- Equipment Replacement
 - Vactor
 - Sweeper
 - Fleet for storm
- Maintenance
 - Routine maintenance
 - CCTV

Data Requirements

LOS 2

City Implements
Private Facility Maintenance

How to define private facilities?

- Residential vs Commercial
- Facilities 2007 and newer (NPDES Requirement)
- Public ROW and Private Facilities

LOS 2 – Data Requirements

- Estimated Upfront costs for emergency repairs and maintenance for private facilities
- On-going maintenance costs (staff and equipment)
- Private facility maintenance grant program (OPTION)
- Number of Private Facilities and Construction Date
- Current Condition

Data Requirements

LOS 3

High-priority capital projects

LOS 3 – Data Requirements

- 6-year CIP
- Emerging projects from Comprehensive Plan update

Data Requirements

LOS 4

Property Acquisition

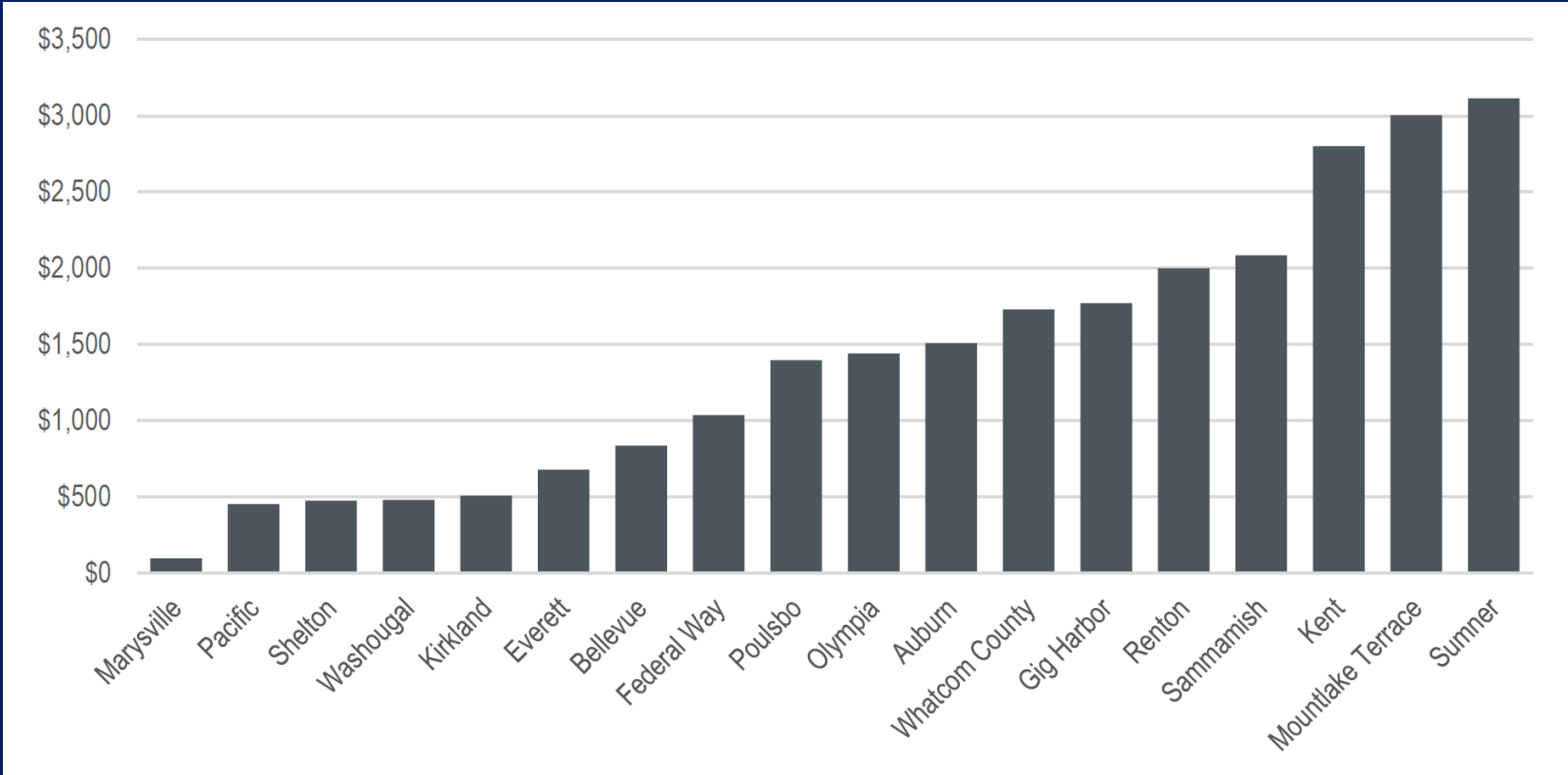
LOS 4 – Data Requirements

- Property Acquisition for Capital Projects
- Property Acquisition for Regional Stormwater Facilities
- Property Acquisition for Natural Area/Wetland Preservation

Utility Connection

- Utility Connection Fees are charged for new connections to the Water, Sanitary Sewer, and Storm Drainage utility systems and/or upgrades/changes to an existing service.

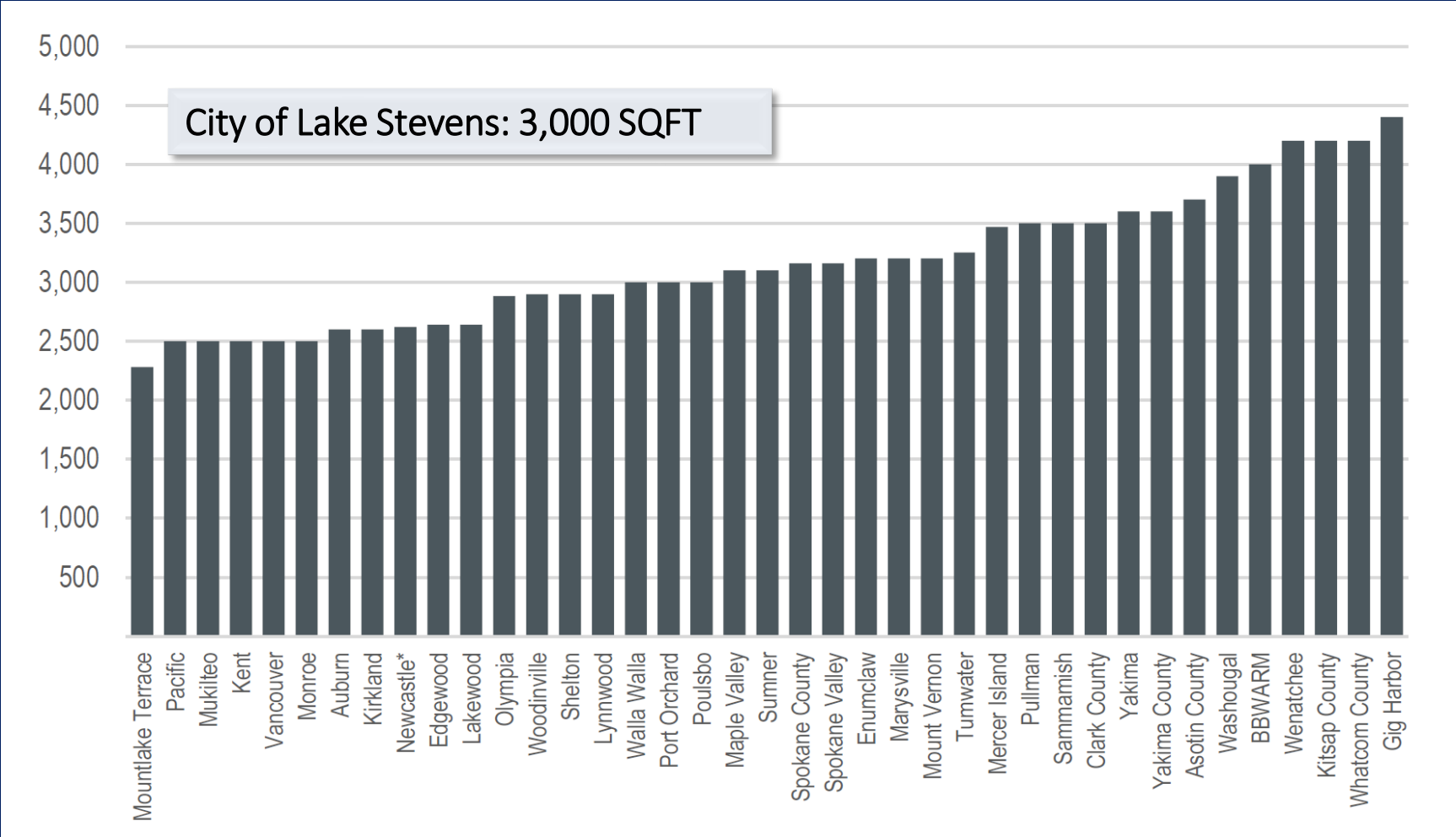
Connection Fees in Other Jurisdictions



Source: Department of Ecology & City of Tacoma, Task 3B Stormwater Benchmarking & Rate Survey Results (2023)

Jurisdiction Comparison – ESU size

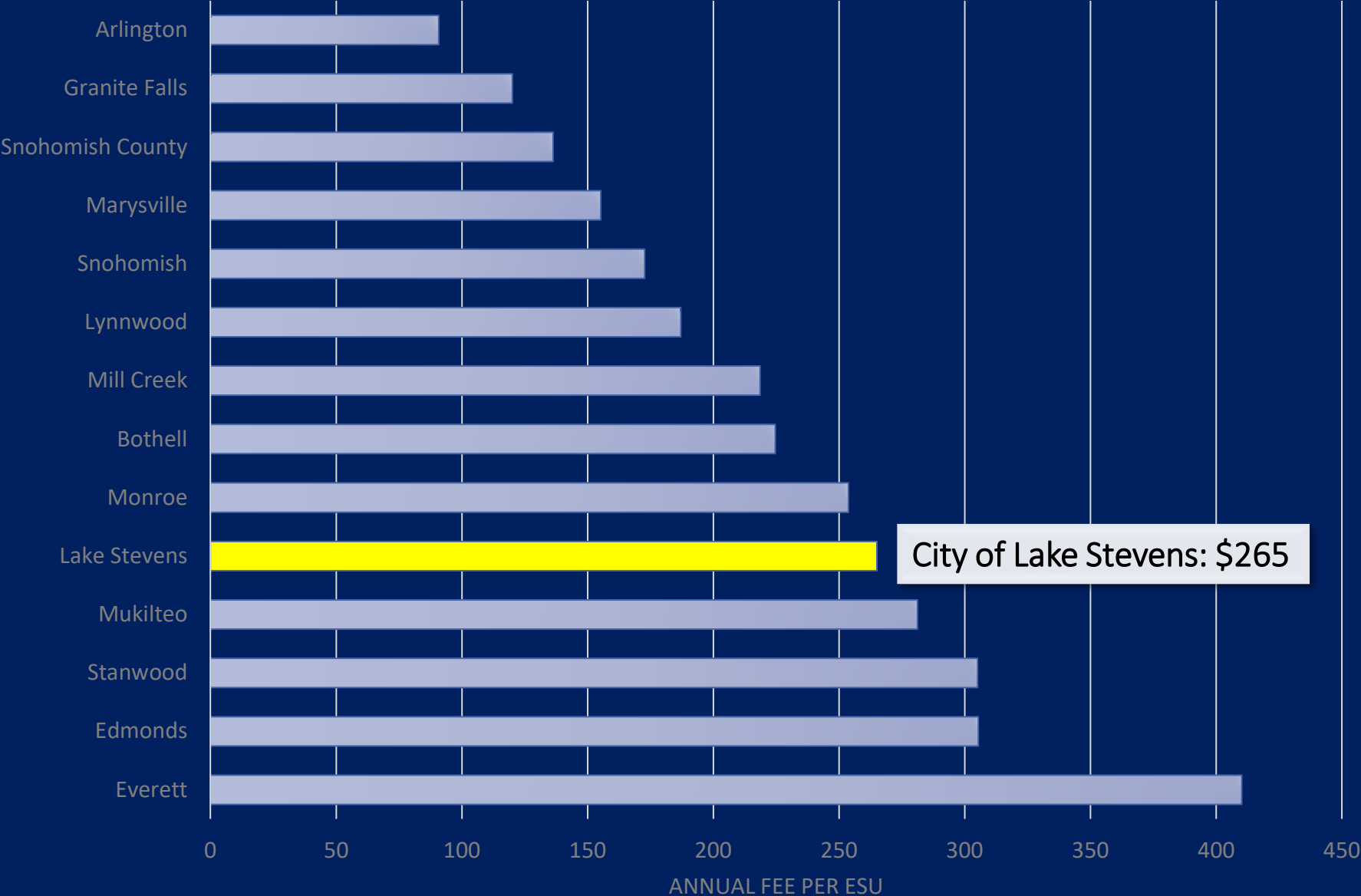
Equivalent Service Unit in Other Jurisdictions (square feet of impervious surface)



Source: Department of Ecology & City of Tacoma, Task 3B Stormwater Benchmarking & Rate Survey Results (2023)

Jurisdiction Comparison – SWM Fee Annual Rates

2023/2024 Annual SWM Fee Rates Per ESU

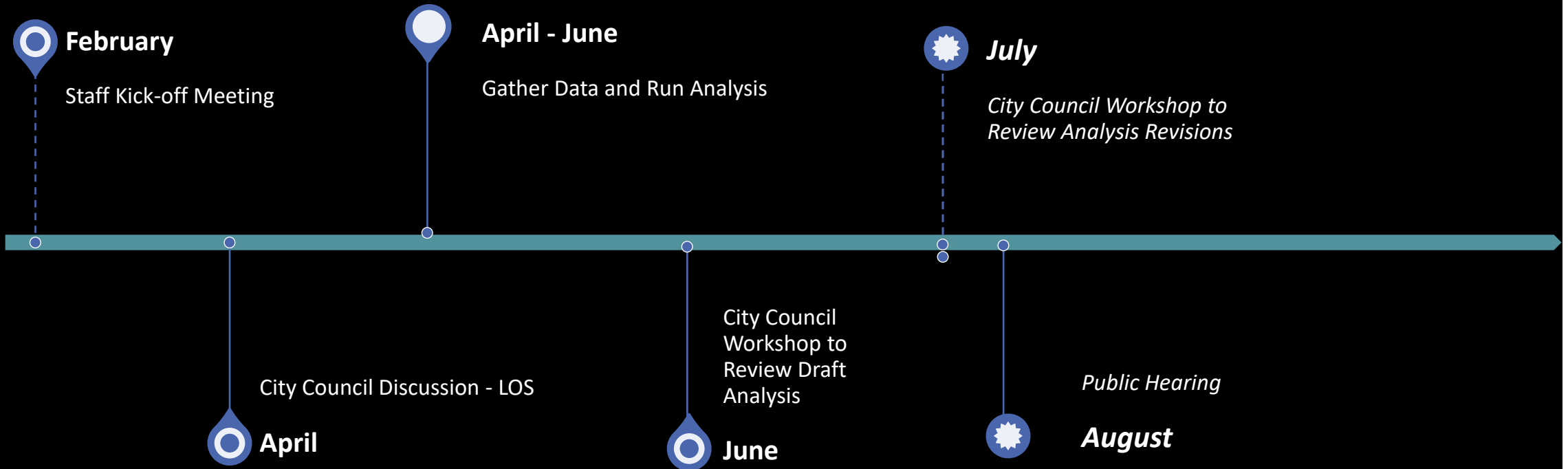


SWM Fee Credits

LSMC 11.04.070

- ☐ RCW 36.89.080 - any new or remodeled commercial building that utilizes a permissive rainwater harvesting system.”
- ☐ RCW 84.36.381 - The parcel is owned and is the personal residence of a person or persons qualified as a low-income senior citizen or low-income disabled person under
- ☐ The parcel is owned or leased by a public school district which provides activities which directly benefit the City’s surface water utility. Determination of which activities qualify for the surface water utility service charge reduction will be made by the Director or designee.

Timeline





Goals for Council Input

- Confirm types of data to analyze for the LOS evaluation
- Consensus on LOS options presented to move forward with analysis
- Determine process for evaluating a utility connection fee
- Establish a steps for input and decision making, including adoption of fees