



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19276

Proposed No. 2021-0057.3

Sponsors McDermott and Balducci

1 AN ORDINANCE relating to fireworks regulations;
2 amending Ordinance 3139, Section 601, as amended, and
3 K.C.C. 12.86.500, Ordinance 4461, Section 2, as amended,
4 and K.C.C. 20.22.040, Ordinance 10870, Section 331, as
5 amended, and K.C.C. 21A.08.040, Ordinance 10870,
6 Section 548, as amended, and K.C.C. 21A.32.110,
7 Ordinance 13332, Section 43, as amended, and K.C.C.
8 27.10.360 and Ordinance 17682, Section 48, as amended,
9 and K.C.C. 27.10.580, adding a new chapter to K.C.C Title
10 17, repealing Ordinance 6836, Section 1, and K.C.C.
11 6.26.010, Ordinance 6836, Section 2, as amended, and
12 K.C.C. 6.26.020, Ordinance 6836, Section 3, as amended,
13 and K.C.C. 6.26.030, Ordinance 6836, Section 4, as
14 amended, and K.C.C. 6.26.040, Ordinance 6836, Section 5,
15 and K.C.C. 6.26.050, Ordinance 6836, Section 6, as
16 amended, and K.C.C. 6.26.060, Ordinance 6836, Section 7,
17 as amended, and K.C.C. 6.26.070, Ordinance 6836, Section
18 8, as amended, and K.C.C. 6.26.080, Ordinance 6836,
19 Section 9, and K.C.C. 6.26.090, Ordinance 6836, Section

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20 10, and K.C.C. 6.26.100, Ordinance 6836, Section 11, and
21 K.C.C. 6.26.110 and Ordinance 10850, Section 6, as
22 amended, and K.C.C. 6.26.115 and prescribing penalties.

23 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24 SECTION 1. Findings:

25 A. This ordinance updates the King County Code to prohibit the retail sale of
26 fireworks, as well as the use and discharge of fireworks without a permit, as allowed by
27 RCW and WAC fireworks regulations. Retail sale and discharge of consumer fireworks
28 would be prohibited at all times of year, including during the summer and winter periods
29 allowed by RCW 70.77.395 absent a local prohibition.

30 B. This ordinance also relocates fireworks regulations from K.C.C. Title 6,
31 Licensing, to K.C.C. Title 17, Fire Code. This alignment coordinates with the state
32 adoption of the International Fire Code.

33 C. This ordinance provides for regulatory procedures to continue to allow for the
34 public display of fireworks.

35 SECTION 2. Ordinance 3139, Section 601, as amended, and K.C.C. 12.86.500
36 are hereby amended to read as follows:

37 The following sounds are exempt from this chapter:

38 A. Sounds originating from aircraft in flight and sounds that originate at airports
39 and are directly related to flight operations;

40 B. Sounds created by the normal operation of commercial, nonrecreational
41 watercraft;

42 C. Sounds created by normal docking and undocking operations of all watercraft;

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43 D. Sounds created by watercraft picking up or dropping off waterskiers while
44 operating within the temporary speed limit exemption authorized in K.C.C. 12.44.230;

45 E. Sounds created by safety and protective devices, such as relief valves, if noise
46 suppression would defeat the safety intent of the device;

47 F. Sounds created by fire alarms;

48 G. Sounds created by warning devices of not more than fifteen minutes in
49 duration per incident. For the purposes of this subsection, "warning device" means a
50 device that is working as intended to provide public warning of potentially hazardous,
51 emergency or illegal activities, including, but not limited to, a burglar alarm or vehicle
52 backup signal, but not including any fire alarm;

53 H. Sounds created by emergency equipment and emergency work necessary in
54 the interests of law enforcement or for the health, safety or welfare of the community.
55 For the purposes of this subsection, "emergency work" means work required to restore
56 property to a safe condition following a disaster, as defined at K.C.C. 12.52.010, work
57 required to protect persons or property from an imminent danger, work by private or
58 public utilities for providing or restoring immediately necessary utility service, or work to
59 address other emergencies as determined by the director. The director shall, within
60 fourteen days of making such a determination under this section, document in a written
61 decision the nature of the emergency work, why it is necessary for the health, safety or
62 welfare of the community, any complaints about the noise and any objections to the
63 director's determination. The written decision shall be filed in the form of a paper
64 original and an electronic copy with the clerk of the council, who shall retain the original
65 and provide an electronic copy to all councilmembers, the council chief of staff, the

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66 policy staff director and the lead staff for the law, justice, health and human services
67 committee, or its successor;

68 I. Sounds created by the discharge of firearms in the course of lawful hunting
69 activities;

70 J. Sounds caused by natural phenomena and unamplified human voices;

71 K. Sounds originating from silviculture or forest practices conducted under
72 chapter 76.09 RCW and Title 222 WAC if the receiving property is located in a rural,
73 commercial or industrial district of King County;

74 L. Sounds originating from commercial agriculture practices if the receiving
75 property is located in a rural, commercial or industrial district of King County;

76 M. Sounds created by auxiliary equipment on motor vehicles used for public
77 highway maintenance;

78 N. Sounds created by off highway vehicles while being used in officially
79 designated all-terrain vehicle parks, except when the sound is received off the park site in
80 a rural or residential district of King County and the sound measurably increases the
81 ambient level;

82 O. Sounds created by watercraft competing in a regatta or boat race held under a
83 permit issued by the sheriff and sounds created while on trial runs or while on official
84 trials for speed records during the time and in the designated area authorized by the
85 permit;

86 P. Sounds created by motor vehicle racing events and motor vehicle testing and
87 training, governed by and conducted in accordance with applicable King County permit
88 conditions; and

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89 Q. Sounds created by the legal discharge of fireworks as defined in K.C.C.
90 (~~(6.26.060 and K.C.C. 6.26.080)~~) chapter 17.XX (the new chapter created in section 3 of
91 this ordinance).

92 SECTION 3. Sections 4 through 9 of this ordinance should constitute a new
93 chapter in K.C.C. Title 17.

94 NEW SECTION. SECTION 4. There is hereby added to the chapter established
95 in section 3 of this ordinance a new section to read as follows:

96 Unless otherwise specified in K.C.C. 17.04.020 or the context clearly requires
97 otherwise, the definitions for terms used in this chapter shall be as established in chapter
98 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
99 adopted under K.C.C. 17.04.010.

100 NEW SECTION. SECTION 5. There is hereby added to the chapter established
101 in section 3 of this ordinance a new section to read as follows:

102 A. Except as otherwise noted in this chapter, all permitting, licensing and
103 regulatory requirements shall be in accordance with the fireworks regulations of chapter
104 70.77 RCW, chapter 212-17 WAC and the International Fire Code, Chapter 56, as
105 adopted under K.C.C. 17.04.010.

106 B. This chapter does not apply to the sale or discharge of fireworks on tribal trust
107 lands.

108 NEW SECTION. SECTION 6. There is hereby added to the chapter established
109 in section 3 of this ordinance a new section to read as follows:

110 A. The county council hereby delegates the power to grant all permits required
111 under this chapter to the King County fire marshal or designee. The King County fire

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112 marshal may adopt reasonable procedures and policies to clarify the application of this
113 chapter. As a condition of any permit, the fire marshal may specify additional safeguards
114 as necessary to provide for public safety.

115 B. In addition to the sheriff's powers to enforce state and county criminal law, the
116 sheriff's office may assist the King County fire marshal in enforcing the permitting,
117 licensing and regulatory requirements of this chapter.

118 NEW SECTION. SECTION 7. There is hereby added to the chapter established
119 in section 3 of this ordinance a new section to read as follows:

120 A. The retail sale of fireworks in unincorporated King County is prohibited.

121 B. The use, discharge or display of fireworks in unincorporated King County is
122 prohibited absent a permit issued by the county pursuant to RCW 70.77.260(2) and this
123 section.

124 C. Any person desiring to give a public display of fireworks shall submit to the
125 fire marshal an application for a permit to operate the public display. This is in addition
126 to any permits required by Section 105 of the International Fire Code for pyrotechnic
127 special effects material and use of hazardous materials. Public displays of fireworks shall
128 not be permitted more than two days per calendar year on any site as defined in K.C.C.
129 21A.06.1170.

130 D. A complete permit application for a public display of fireworks shall be made
131 at least twenty days in advance of the date set for the public display. Applications
132 received after that date or incomplete applications shall be denied.

133 E. The fee for the permit shall be as established in K.C.C. Title 27. The permit
134 required by this section shall be in addition to any license required by the state fire

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135 marshal under chapter 70.77 RCW. Permits for displays of fireworks for religious
136 purposes shall not be subject to a fee, in accordance with RCW 70.77.311.

137 F.1. For any scheduled public display, applicants shall submit such information
138 as deemed appropriate by the department and the sheriff's office to ensure that adequate
139 traffic control and crowd protection policing has either been arranged through private
140 security agencies or has been contracted for with the sheriff.

141 2. A written notice that the applicant has complied with this requirement shall
142 be issued by the sheriff to the fire marshal before a public display permit is issued.

143 3. If the applicant contracts for traffic control and crowd protection policing
144 with King County, the sum agreed upon in payment for the policing shall not be less than
145 the actual expense incurred by the county in providing that service. The compensation
146 for a contract for traffic control and crowd protection policing with King County shall be
147 calculated for personnel resources in the hourly rate for overtime under the current
148 collective bargaining agreement, plus the percentage being paid for fringe benefits, and
149 all sums paid under the contract shall be paid in accordance with procedures specified by
150 the county treasurer.

151 G. Every public display of fireworks shall be conducted with a pyrotechnic
152 operator licensed by the state of Washington under RCW 70.77.255 supervising the
153 handling and discharge of the fireworks.

154 H. A bond or certificate of insurance must be furnished to the department before
155 a permit is issued. The bond shall be in the amount of one million dollars and shall be
156 conditioned upon the applicant's payment of all damages to persons and property
157 resulting from or caused by the public display of fireworks, or by any negligence on the

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158 part of the applicant or its agents, servants, employees or subcontractors in the
159 presentation of the display. The certificate of insurance shall evidence a comprehensive
160 general liability insurance policy providing limits of one million dollars combined single
161 limit, per occurrence and annual aggregate, and naming King County as an additional
162 insured. Any such a bond or insurance policy must be approved by the fire marshal.

163 I. A cash deposit in the amount of one hundred fifty dollars must be posted with
164 the department at least twenty days in advance of the public display date to provide for
165 costs of site cleanup. The deposit shall be forfeited to King County if the operator fails to
166 perform such cleanup within six days after the public display. If the operator properly
167 performs the cleanup, the deposit shall be returned to the operator.

168 NEW SECTION. SECTION 8. There is hereby added to the chapter established
169 in section 3 of this ordinance a new section to read as follows:

170 In the event of drought or other fire hazard conditions that pose a threat to public
171 health, safety and welfare, the fire marshal, in consultation with the representatives of the
172 fire districts of the county, may declare an emergency and prohibit the use or discharge of
173 any fireworks, including public displays, until the hazard has been abated.

174 NEW SECTION. SECTION 9. There is hereby added to the chapter established
175 in section 3 of this ordinance a new section to read as follows:

176 A. A violation of this chapter is a misdemeanor and is punishable as prescribed
177 by law.

178 B. Notwithstanding any criminal penalty provided in this chapter, a person who
179 violates this chapter or chapter 70.77 RCW is subject to the maximum civil penalty in an
180 amount not to exceed two hundred fifty dollars per violation. In addition, a person in

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181 violation of this chapter is responsible for any costs incurred to enforce this chapter,
182 including bringing a civil action, court costs and reasonable attorneys' fees. All civil
183 penalties assessed shall be enforced under K.C.C. Title 23.

184 C. A person commits a separate offense for each day during that the person
185 commits, continues or permits a violation of this chapter.

186 D. The civil and criminal penalties described in subsections A. through C. of this
187 section shall not be enforced for violations of section 7.B. of this ordinance as it pertains
188 to the use or discharge of consumer fireworks, as defined in RCW 70.77.136, until one
189 year after this ordinance takes effect under RCW 70.77.250. During the period in which
190 these penalties are not being enforced, the King County sheriff's office and the fire
191 marshal shall only issue warnings to violators of section 7.B. of this ordinance and shall
192 provide information to violators on the county's laws governing fireworks.

193 SECTION 10. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
194 hereby amended to read as follows:

195 The examiner shall issue final decisions in the following cases:

196 A. Appeals of orders of the ombuds under the lobbyist disclosure code, K.C.C.
197 chapter 1.07;

198 B. Appeals of sanctions of the finance and business operations division in the
199 department of executive services imposed under K.C.C. chapter 2.97;

200 C. Appeals of career service review committee conversion decisions for part-time
201 and temporary employees under K.C.C. chapter 3.12A;

202 D. Appeals of electric vehicle recharging station penalties of the Metro transit
203 department under K.C.C. 4A.700.700;

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204 E. Appeals of notice and orders of the manager of records and licensing services
205 or the department of local services permitting division manager under K.C.C. chapter
206 6.01;

207 F. Appeals of adult entertainment license denials, suspensions and revocations
208 under K.C.C. chapter 6.09;

209 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
210 chapter ~~((6.26))~~ 17.XX (the new chapter created under section 3 of this ordinance);

211 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
212 and orders under K.C.C. 6.27A.240;

213 I. Appeals of notices and orders of the department of natural resources and parks
214 under K.C.C. chapter 7.09;

215 J. Appeals of decisions of the director of the department of natural resources and
216 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

217 K. Appeals of decisions of the director of the department of natural resources and
218 parks on requests for rate adjustments to surface and storm water management rates and
219 charges under K.C.C. chapter 9.08;

220 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

221 M. Appeals of notices and orders of the manager of animal control under K.C.C.
222 chapter 11.04;

223 N. Certifications by the finance and business operations division of the
224 department of executive services involving K.C.C. chapter 12.16;

225 O. Appeals of orders of the office of civil rights under K.C.C. chapter 12.17,
226 K.C.C. chapter 12.18, K.C.C chapter 12.20 and K.C.C. chapter 12.22;

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- 227 P. Appeals of noise-related orders and citations of the department of local
228 services, permitting division, under K.C.C. chapter 12.86;
- 229 Q. Appeals of utilities technical review committee determinations on water
230 service availability under K.C.C. 13.24.090;
- 231 R. Appeals of decisions regarding mitigation payment system, commute trip
232 reduction and intersection standards under K.C.C. Title 14;
- 233 S. Appeals of suspensions, revocations or limitations of permits or of decisions of
234 the board of plumbing appeals under K.C.C. chapter 16.32;
- 235 T. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
236 exception of appeals of shoreline permits, including shoreline substantial development
237 permits, shoreline variances and shoreline conditional uses, which are appealable to the
238 state Shoreline Hearings Board;
- 239 U. Appeals of SEPA decisions, as provided in K.C.C. 20.44.120 and public rules
240 adopted under K.C.C. 20.44.075;
- 241 V. Appeals of completed farm management plans under K.C.C. 21A.30.045;
- 242 W. Appeals of decisions of the interagency review committee created under
243 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
244 chapter 21A.37;
- 245 X. Appeals of citations, notices and orders, notices of noncompliance, stop work
246 orders issued pursuant to K.C.C. Title 23 or Title 1.08 of the rules and regulations of the
247 King County board of health;
- 248 Y. Appeals of notices and certifications of junk vehicles to be removed as a
249 public nuisance as provided in K.C.C. Title 21A and K.C.C. chapter 23.10;

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250 Z. Appeals of decisions not to issue a citation or a notice and order under K.C.C.

251 23.36.010.A.2;

252 AA. Appeals of fee waiver decisions by the department of local services,
 253 permitting division, as provided in K.C.C. 27.02.040;

254 BB. Appeals from decisions of the department of natural resources and parks
 255 related to permits, discharge authorizations, violations and penalties under K.C.C.
 256 28.84.050 and 28.84.060;

257 CC. Appeals of transit rider suspensions under K.C.C. 28.96.430;

258 DD. Appeals of department of public safety seizures and intended forfeitures,
 259 when properly designated by the chief law enforcement officer of the department of
 260 public safety as provided in RCW 69.50.505; and

261 EE. Other applications or appeals that are prescribed by ordinance.

262 SECTION 11. Ordinance 10870, Section 331, as amended, and K.C.C.

263 21A.08.040 are hereby amended to read as follows:

264 A. Recreational/cultural land uses.

| P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | R U R A L | RESIDENTIAL | | | COMMERCIAL/INDUSTRIAL | | | | |
|--|-------------------------|----------|-----------------|-----|-----------------|-----------------|------|-----|-----------------------|----|----|---|-----------------|
| SIC # | SPECIFIC LAND USE | A | F | M | RA | UR | R1-8 | R12 | NB | CB | RB | O | I |
| | PARK/RECREATION: | | | | | | | | | | | | |
| * | Park | P1 | P1 | P1 | P1 | P1 | P1 | P1 | P | P | P | P | P13 |
| * | Trails | P | P | P | P | P | P | P | P | P | P | P | P |
| * | Campgrounds | | P16 C16 a | P16 | P16 C16 a | P16 C16 a | | | | | | | P16 C16 a |

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|------------------|-----------------------------------|--|-----|-----|-------------------------------|-------------------------|-------------------------|-------------------------|------------|-----|-----|-----|-----|
| * | Destination Resorts | | S | | S18 | C | | | | | C | | |
| * | Marina | | C 3 | | C4 | C4 | C4 | C4 | P5 | P | P | P | P |
| * | Recreational Vehicle Park | | P19 | P19 | C2 and 18 P19 | C2 P19 | | | | | | | |
| * | Sports Club (17) | | | | C4 and 18 | C4 | C4 | C4 | C | P | P | | |
| * | Ski Area | | S | | S18 | | | | | | | | |
| * | Recreational Camp | | C | | P24 C | | | | | | | | |
| | AMUSEMENT/ENTERTAINMENT: | | | | | | | | | | | | |
| * | Adult Entertainment Business | | | | | | | | | P6 | P6 | P6 | |
| * | Theater | | | | | | | | | P | P | P | P25 |
| 783 3 | Theater, Drive-in | | | | | | | | | | C | | |
| 793 | Bowling Center | | | | | | | | | P | P | | P |
| * | Golf Facility | | | | C7 and 18 | P7 | P7 | P7 | | | | | |
| 799 9 (14) | Amusement and Recreation Services | | P21 | P21 | P8 P21 C15 and 18 | P8 P21 P22 C15 | P8 P21 P22 C15 | P8 P21 P22 C15 | P21 P22 | P | P | P21 | P21 |
| * | Indoor Paintball Range | | | | | | | | | P26 | P26 | | P26 |
| * | Outdoor Paintball Range | | | | C27 | C27 | | | | | | | |
| * | Shooting Range | | C9 | | C9 and 18 | | | | | | C10 | | P10 |
| * | Amusement Arcades | | | | | | | | | P | P | | |

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|----------|----------------------------|---------|-----|--|------------|------------|------------|----------|---|---|---|---|---|
| 799 6 | Amusement Park | | | | | | | | | | C | | |
| * | Outdoor Performance Center | | S | | C12 S18 | | P20 P20 | | | | S | | |
| | CULTURAL: | | | | | | | | | | | | |
| 823 | Library | | | | P11 | P11 C | P11 C | P28 | P | P | P | P | |
| 841 | Museum | C2 3 | C23 | | P11 | P11 C | P11 C | P28 | P | P | P | P | P |
| 842 | Arboretum | P | P | | P | P | P | P | P | P | P | P | |
| * | Conference Center | | | | P29 C12 | P29 C12 | P29 C | P29 C | P | P | P | P | |

265 B. Development conditions.

266 1. The following conditions and limitations shall apply, where appropriate:

267 a. No stadiums on sites less than ten acres;

268 b. Lighting for structures and fields shall be directed away from rural area and
269 residential zones;

270 c. Structures or service yards shall maintain a minimum distance of fifty feet
271 from property lines adjoining rural area and residential zones, except for fences and mesh
272 backstops;

273 d. Facilities in the A zone shall be limited to trails and trailheads, including
274 related accessory uses such as parking and sanitary facilities; and

275 e. Overnight camping is allowed only in an approved campground.

276 2. Recreational vehicle parks are subject to the following conditions and
277 limitations:

278 a. The maximum length of stay of any vehicle shall not exceed one hundred
279 eighty days during a three-hundred-sixty-five-day period;

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280 b. The minimum distance between recreational vehicle pads shall be no less
281 than ten feet; and

282 c. Sewage shall be disposed in a system approved by the Seattle-King County
283 health department.

284 3. Limited to day moorage. The marina shall not create a need for off-site
285 public services beyond those already available before the date of application.

286 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities
287 subject to the following conditions and limitations:

288 a. The bulk and scale shall be compatible with residential or rural character of
289 the area;

290 b. For sports clubs, the gross floor area shall not exceed ten thousand square
291 feet unless the building is on the same site or adjacent to a site where a public facility is
292 located or unless the building is a nonprofit facility located in the urban area; and

293 c. Use is limited to residents of a specified residential development or to sports
294 clubs providing supervised instructional or athletic programs.

295 5. Limited to day moorage.

296 6.a. Adult entertainment businesses shall be prohibited within three hundred
297 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
298 centers, public parks or trails, community centers, public libraries or churches. In
299 addition, adult entertainment businesses shall not be located closer than three thousand
300 feet to any other adult entertainment business. These distances shall be measured from
301 the property line of the parcel or parcels proposed to contain the adult entertainment
302 business to the property line of the parcels zoned RA, UR or R or that contain the uses

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303 identified in this subsection B.6.a.

304 b. Adult entertainment businesses shall not be permitted within an area likely
305 to be annexed to a city subject to an executed interlocal agreement between King County
306 and a city declaring that the city will provide opportunities for the location of adult
307 businesses to serve the area. The areas include those identified in the maps attached to
308 Ordinance 13546.

309 7.a. Clubhouses, maintenance buildings, equipment storage areas and driving
310 range tees shall be at least fifty feet from rural area and residential zoned property lines.
311 Lighting for practice greens and driving range ball impact areas shall be directed away
312 from adjoining rural area and residential zones. Applications shall comply with adopted
313 best management practices for golf course development. Within the RA zone, those
314 facilities shall be permitted only in the RA-5 and RA-2.5 zones. Not permitted in
315 designated rural forest focus area, regionally significant resource areas or locally
316 significant resource areas. Ancillary facilities associated with a golf course are limited to
317 practice putting greens, maintenance buildings and other structures housing
318 administrative offices or activities that provide convenience services to players. These
319 convenience services are limited to a pro shop, food services and dressing facilities and
320 shall occupy a total of no more than ten thousand square feet. Furthermore, the residential
321 density that is otherwise permitted by the zone shall not be used on other portions of the
322 site through clustering or on other sites through the transfer of density provision. This
323 residential density clustering or transfer limitation shall be reflected in a deed restriction
324 that is recorded at the time applicable permits for the development of the golf course are
325 issued; and

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326 b. In addition to ancillary facilities, an organizational hotel/lodging house shall
327 be allowed as an accessory use, subject to the following:

328 (1) only allowed in the R-1 zone;

329 (2) only allowed with a privately owned golf facility that legally existed as of
330 January 1, 2019;

331 (3) only allowed as an incidental or subordinate use to a principal golf facility
332 use;

333 (4) a maximum of twenty-four sleeping units is allowed; and

334 (5) shall be connected to and served by public sewer.

335 8. Limited to golf driving ranges, only as:

336 a. accessory to golf courses; or

337 b. accessory to a recreation or multiuse park.

338 9.a. New structures and outdoor ranges shall maintain a minimum distance of
339 fifty feet from property lines adjoining rural area and residential zones, but existing
340 facilities shall be exempt.

341 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets
342 or arrows from leaving the property.

343 c. Site plans shall include: safety features of the range; provisions for reducing
344 sound produced on the firing line; elevations of the range showing target area, backdrops
345 or butts; and approximate locations of buildings on adjoining properties.

346 d. Subject to the licensing provisions of K.C.C. Title 6.

347 10.a. Only in an enclosed building, and subject to the licensing provisions of
348 K.C.C. Title 6;

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349 b. Indoor ranges shall be designed and operated so as to provide a healthful
350 environment for users and operators by:

351 (1) installing ventilation systems that provide sufficient clean air in the user's
352 breathing zone, and

353 (2) adopting appropriate procedures and policies that monitor and control
354 exposure time to airborne lead for individual users.

355 11. Only as accessory to a park or in a building listed on the National Register
356 as an historic site or designated as a King County landmark subject to K.C.C. chapter
357 21A.32.

358 12.a. Only as accessory to a nonresidential use established through a
359 discretionary permit process, if the scale is limited to ensure compatibility with
360 surrounding neighborhoods; and

361 b. In the UR zone, only if the property is located within a designated
362 unincorporated rural town.

363 13. Subject to the following:

364 a. The park shall abut an existing park on one or more sides, intervening roads
365 notwithstanding;

366 b. No bleachers or stadiums are permitted if the site is less than ten acres, and
367 no public amusement devices for hire are permitted;

368 c. Any lights provided to illuminate any building or recreational area shall be
369 so arranged as to reflect the light away from any premises upon which a dwelling unit is
370 located; and

371 d. All buildings or structures or service yards on the site shall maintain a

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372 distance not less than fifty feet from any property line and from any public street.

373 14.a. Excluding amusement and recreational uses classified elsewhere in this
374 chapter.

375 b. Fireworks display services, also known as public displays of fireworks, are
376 allowed in all zones, subject to the requirements of K.C.C. chapter 17.xx (the new
377 chapter created in section 3 of this ordinance).

378 15. For amusement and recreation services not otherwise provided for in this
379 chapter:

380 a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on
381 sites at least five acres or larger;

382 b. Retail sales are limited to incidental sales to patrons of the amusement or
383 recreation service; and

384 c. Does not involve the operation of motor vehicles or off-road vehicles,
385 including, but not limited to, motorcycles and gocarts.

386 16. Subject to the following conditions:

387 a. The length of stay per party in campgrounds shall not exceed one hundred
388 eighty days during a three-hundred-sixty-five-day period; and

389 b. Only for campgrounds that are part of a proposed or existing county park,
390 that are subject to review and public meetings through the department of natural
391 resources and parks.

392 17. Only for stand-alone sports clubs that are not part of a park.

393 18. Subject to review and approval of conditions to comply with trail corridor
394 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

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395 19. Only as an accessory to a recreation or multiuse park.

396 20. Only as an accessory to a recreation or multiuse park of at least twenty acres
397 located within the urban growth area or on a site immediately adjacent to the urban
398 growth area with the floor area of an individual outdoor performance center stage limited
399 to three thousand square feet.

400 21. Limited to rentals of sports and recreation equipment with a total floor area
401 of no more than seven hundred fifty square feet and only as accessory to a park, or in the
402 RA zones, to a recreation or multiuse park.

403 22. Only as accessory to a large active recreation and multiuse park and limited
404 to:

- 405 a. water slides, wave pools and associated water recreation facilities; and
- 406 b. rentals of sports and recreation equipment.

407 23. Limited to natural resource and heritage museums and only allowed in a
408 farm or forestry structure, including but not limited to barns or sawmills, existing as of
409 December 31, 2003.

410 24. Use is permitted without a conditional use permit only when in compliance
411 with all of the following conditions:

- 412 a. The use is limited to camps for youths or for persons with special needs due
413 to a disability, as defined by the American With Disabilities Act of 1990, or due to a
414 medical condition and including training for leaders for those who use the camp;
- 415 b. Active recreational activities shall not involve the use of motorized vehicles
416 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The
417 prohibition on motorized vehicles does not apply to such vehicles that may be necessary

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418 for operation and maintenance of the facility or to a client-specific vehicle used as a
419 personal mobility device;

420 c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number
421 of overnight campers, not including camp personnel, in a new camp shall not exceed:

422 (a) one hundred and fifty for a camp between twenty and forty acres; or

423 (b) for a camp greater than forty acres, but less than two hundred and fifty
424 acres, the number of users allowed by the design capacity of a water system and on-site
425 sewage disposal system approved by the department of health, Seattle/King County, up to
426 a maximum of three hundred and fifty; and

427 (2) Existing camps shall be subject to the following:

428 (a) For a camp established before August 11, 2005, with a conditional use
429 permit and that is forty acres or larger, but less than one hundred and sixty acres, the
430 number of overnight campers, not including camp personnel, may be up to one hundred
431 and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

432 (b) For a camp established before August 11, 2005, with a conditional use
433 permit and that is one hundred and sixty acres or larger, but less than two hundred acres,
434 the number of overnight campers, not including camp personnel, may be up to three
435 hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this
436 section. The camp may terminate operations at its existing site and establish a new camp
437 if the area of the camp is greater than two hundred and fifty acres and the number of
438 overnight campers, not including camp personnel, shall not exceed seven hundred.

439 d. The length of stay for any individual overnight camper, not including camp
440 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

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441 e. The camp facilities, such as a medical station, food service hall, and activity
442 rooms, shall be of a scale to serve overnight camp users;

443 f. The minimum size of parcel for such use shall be twenty acres;

444 g. Except for any permanent caretaker residence, all new structures where
445 camp users will be housed, fed or assembled shall be no less than fifty feet from
446 properties not related to the camp;

447 h. In order to reduce the visual impacts of parking areas, sports and activity
448 fields or new structures where campers will be housed, fed or assembled, the applicant
449 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest
450 property line and such parking area, field, or structures, by retaining existing vegetation
451 or augmenting as necessary to achieve the required level of screening;

452 i. If the site is adjacent to an arterial roadway, access to the site shall be
453 directly onto said arterial unless direct access is unsafe due inadequate sight distance or
454 extreme grade separation between the roadway and the site;

455 j. If direct access to the site is via local access streets, transportation demand
456 management measures, such as use of carpools, buses or vans to bring in campers, shall
457 be used to minimize traffic impacts;

458 k. Any lights provided to illuminate any building or recreational area shall be
459 so arranged as to reflect the light away from any adjacent property; and

460 l. A community meeting shall be convened by the applicant before submittal
461 of an application for permits to establish a camp, or to expand the number of camp users
462 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of
463 the meeting shall be provided at least two weeks in advance to all property owners within

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464 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.
465 The notice shall at a minimum contain a brief description of the project and the location,
466 as well as, contact persons and numbers.

467 25. Limited to theaters primarily for live productions located within a Rural
468 Town designated by the King County Comprehensive Plan.

469 26.a. Only in an enclosed building; and

470 b. A copy of the current liability policy of not less than one million dollars for
471 bodily injury or death shall be maintained in the department.

472 27. Minimum standards for outdoor paintball recreation fields:

473 a. The minimum site area is twenty-five acres;

474 b. Structure shall be no closer than one hundred feet from any lot line adjacent
475 to a rural area or residential zoned property;

476 c. The area where paintballs are discharged shall be located more than three
477 hundred feet of any lot line and more than five hundred feet from the lot line of any
478 adjoining rural area or residential zoned property. The department may allow for a lesser
479 setback if it determines through the conditional use permit review that the lesser setback
480 in combination with other elements of the site design provides adequate protection to
481 adjoining properties and rights-of-ways;

482 d. A twenty-foot high nylon mesh screen shall be installed around all play
483 areas and shall be removed at the end of each day when the play area is not being used.
484 The department may allow for the height of the screen to be lowered to no less than ten
485 feet if it determines through the conditional use permit review that the lower screen in
486 combination with other elements of the site design provides adequate protection from

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487 discharged paintballs;

488 e. All parking and spectator areas, structures and play areas shall be screened
489 from adjoining rural area or residential zoned property and public rights of way with
490 Type 1 landscaping at least ten feet wide;

491 f. Any retail sales conducted on the property shall be accessory and incidental
492 to the permitted activity and conducted only for the participants of the site;

493 g. A plan of operations specifying days and hours of operation, number of
494 participants and employees, types of equipment to be used by users of the site, safety
495 procedures, type of compressed air fuel to be used on the site and storage and
496 maintenance procedures for the compressed air fuel shall be provided for review in
497 conjunction with the conditional use permit application. All safety procedures shall be
498 reviewed and approved by department of public safety before submittal of the conditional
499 use permit application. All activities shall be in compliance with National Paintball
500 League standards;

501 h. The hours of operation shall be limited to Saturdays and Sundays and
502 statutory holidays from 8:30 A.M. to 8:30 P.M., and further restricted as applicable to
503 daylight hours;

504 i. No more than one hundred paintball players shall be allowed on the site at
505 any one time;

506 j. No outdoor lights or amplified sounds shall be permitted;

507 k. The facility shall have direct access to a road designated as a major collector
508 (or higher) in the Comprehensive Plan unless the department determines through the
509 conditional use permit review that the type and amount of traffic generated by the facility

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510 is such that it will not cause an undue impact on the neighbors or adversely affect safety
511 of road usage;

512 1. The facility shall be secured at the close of business each day;

513 m. All equipment and objects used in the paintball activities shall be removed
514 from the site within ninety days of the discontinuance of the paintball use; and

515 n. A copy of the current liability policy of not less than one million dollars for
516 bodily injury or death shall be submitted with the conditional use permit application and
517 shall be maintained in the department.

518 28. Before filing an application with the department, the applicant shall hold a
519 community meeting in accordance with K.C.C. 20.20.035.

520 29. Only as accessory to a recreation or multiuse park of least twenty acres
521 located within the urban growth area or on a site immediately adjacent to the urban
522 growth area or in a building listed on the National Register as an historic site or
523 designated as a King County landmark subject to K.C.C. chapter 21A.32.

524 SECTION 12. Ordinance 10870, Section 548, as amended, and K.C.C.
525 21A.32.110 are hereby amended to read as follows:

526 A. The following uses shall be exempt from requirements for a temporary use
527 permit when located in the RB, CB, NB, O or I zones for the time period specified below:

528 1. Uses not to exceed a total of thirty days each calendar year:

529 a. Christmas tree lots; and

530 b. (~~Fireworks stands; and~~

531 e.)) Produce stands.

532 2. Uses not to exceed a total of fourteen days each calendar year:

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533 a. Amusement rides, carnivals or circuses;

534 b. Community festivals; and

535 c. Parking lot sales.

536 B. Any use not exceeding a cumulative total of two days each calendar year shall
537 be exempt from requirements for a temporary use permit.

538 C. Any community event held in a park and not exceeding a period of seven days
539 shall be exempt from requirements for a temporary use permit.

540 D. Christmas tree sales not exceeding a total of ~~((30))~~ thirty days each calendar
541 year when located on Rural Area (RA) zoned property with legally established non-
542 residential uses shall be exempt from requirements for a temporary use permit.

543 E.1. Events at a winery, brewery, distillery facility II or III shall not require a
544 temporary use permit if:

545 a. The business is operating under an active Washington state Liquor and
546 Cannabis Board production license issued for their current location before December 31,
547 2019, and where King County did not object to the location during the Washington state
548 Liquor and Cannabis Board license application process;

549 b. The parcel is at least eight acres in size;

550 c. The structures used for the event maintain a setback of at least one hundred
551 fifty feet from interior property lines;

552 d. The parcel is located in the RA zone;

553 e. The parcel has access directly from and to a principal arterial or state
554 highway;

555 f. The event does not use amplified sound outdoors before 12:00 p.m. or after

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556 8:00 p.m.

557 2. Events that meet the provisions in this subsection E. shall not be subject to
 558 the provisions of K.C.C. 21A.32.120, as long as the events occur no more frequently than
 559 an annual average of eight days per month.

560 SECTION 13. Ordinance 13332, Section 43, as amended, and K.C.C. 27.10.360
 561 are hereby amended to read as follows:

562 Fees shall be charged for reviewing applications and inspecting permits for
 563 fireworks display, special event, building occupancy and fire code operational permits as
 564 follows:

| | | |
|-------------------|--|--------------------------------|
| A. | ((Fireworks stand | Maximum allowed |
| | | under chapter 70.77 |
| | | RCW |
| B.)) | Special event or fireworks display | |
| 1. | Application fee | \$250.00 |
| 2. | Inspection fee, per site visit | \$412.00 |
| ((C.)) | Building occupancy inspection, per building per site | \$216.00 |
| <u>B.</u> | visit | |
| ((D.)) | Inspection for an operational permit under the | |
| <u>C.</u> | International fire code | |
| 1. | Initial permit, per code item | \$150.00 |
| 2. | Permit renewal, per code item | \$100.00 |

565 SECTION 14. Ordinance 17682, Section 48, as amended, and K.C.C. 27.10.580
 566 are hereby amended to read as follows:

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567 Fees shall be charged for permit processing, clerical services, contractor
568 certification, title elimination, permit extension, review of resubmitted plans and permit
569 revisions, expedited review and after-hours inspection as follows:

570 A. A fee of seventy-five dollars shall be charged for reissuing a public notice.

571 B. The department may charge fees for clerical services unrelated to permits
572 including, but not limited to, making copies, scanning documents, notarizing documents,
573 gathering, preparing and publishing special request reports and providing publications.

574 The fees shall be the actual cost to the department and shall be collected at the time
575 services are requested. The department shall publish a schedule of these fees on the
576 internet and in the public areas of its offices.

577 C. The fee for annual certification of a tank removal contractor is two hundred
578 fifty dollars.

579 D. The fee for a title elimination is sixty dollars.

580 E. The fee for extension of a nonresidential building, fire, mechanical, sign,
581 demolition, grading, site development or conditional use permit is one hundred sixty
582 dollars.

583 F. The fee for the third or subsequent intake screening of an application submittal
584 prior to acceptance is fifty dollars for each screening. Unless otherwise specified in this
585 title, the review of resubmitted plans or revisions to an issued building, fire((;)) or
586 grading permit shall be charged a fee of twenty-five percent of the original application
587 fee.

588 G. The fee for expedited review shall be one hundred fifty percent of the regular
589 review fee, and shall be charged in lieu of the regular review fee in this title.

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590 H. When building or land use inspections outside regular business hours are
591 required by the construction schedule or otherwise requested by a permit holder,
592 excluding inspections for ~~((fireworks stands,))~~ fireworks displays and other special
593 events, the overtime labor cost of county personnel shall be charged in addition to the
594 regular inspection fees.

595 SECTION 15.

596 A. The executive shall prepare a fireworks enforcement study report.

597 B. The study shall include, but not be limited to:

598 1. An evaluation of options to provide an immediate, unarmed, nonpolice
599 response to reported fireworks violations from June 28 through July 6 of each year;

600 2. The estimated cost of each option analyzed as required in subsection A.1. of
601 this section, and potential funding sources for each option; and

602 3. A recommended approach for ensuring the provision of immediate, unarmed,
603 nonpolice response to fireworks violations during the time described in subsection B.1. of
604 this section.

605 C. The report shall be transmitted to the council by June 30, 2022. If legislative
606 action is necessary to implement the recommendations of the report, a proposed
607 ordinance shall be transmitted with the report. The report shall be filed in the form of a
608 paper original and an electronic copy with the clerk of the council, who shall retain the
609 original and provide an electronic copy to all councilmembers, the council chief of staff
610 and the lead staff to the committee of the whole, or its successor, and the lead staff to the
611 law and justice committee, or its successor.

612 SECTION 16. A. The executive shall also prepare a second fireworks

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613 enforcement study report.

614 B. The report shall include the following, at a minimum, for the period from June
615 1, 2023, to January 1, 2027:

616 1. Information on the number of dispatched calls for service related to discharge
617 of fireworks, by date;

618 2. Information on the number of civil and criminal citations given for violations
619 of section 7.B. of this ordinance, and demographic information of those receiving
620 citations; and

621 3. A table showing the number of dispatched calls for service and citations, by
622 zip code, and an accompanying map or maps displaying this data.

623 C. The report shall be transmitted to the council by June 30, 2027. The report
624 shall be filed in the form of a paper original and an electronic copy with the clerk of the
625 council, who shall retain the original and provide an electronic copy to all
626 councilmembers, the council chief of staff and the lead staff to the committee of the
627 whole, or its successor, and the lead staff to the law and justice committee, or its
628 successor.

629 SECTION 17. The following are hereby repealed:

630 A. Ordinance 6836, Section 1, and K.C.C. 6.26.010;

631 B. Ordinance 6836, Section 2, as amended, and K.C.C. 6.26.020;

632 C. Ordinance 6836, Section 3, as amended, and K.C.C. 6.26.030;

633 D. Ordinance 6836, Section 4, as amended, and K.C.C. 6.26.040;

634 E. Ordinance 6836, Section 5, and K.C.C. 6.26.050;

635 F. Ordinance 6836, Section 6, as amended, and K.C.C. 6.26.060;

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636 G. Ordinance 6836, Section 7, as amended, and K.C.C. 6.26.070;

637 H. Ordinance 6836, Section 8, as amended, and K.C.C. 6.26.080;

638 I. Ordinance 6836, Section 9, and K.C.C. 6.26.090;

639 J. Ordinance 6836, Section 10, and K.C.C. 6.26.100;

640 K. Ordinance 6836, Section 11, and K.C.C. 6.26.110; and

641 L. Ordinance 10850, Section 6, as amended, and K.C.C. 6.26.115.

642 SECTION 18. This ordinance takes effect on the date that the minimum time

643 period after adoption required by RCW 70.77.250(4) has passed.

644 SECTION 19. Severability. If any provision of this ordinance or its application


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645 to any person or circumstance is held invalid, the remainder of the ordinance or the
646 application of the provision to other persons or circumstances is not affected.
647


Ordinance 19276 was introduced on 1/26/2021 and passed as amended by the Metropolitan King County Council on 4/27/2021, by the following vote:

Yes: 5 - Ms. Balducci, Ms. Kohl-Welles, Mr. McDermott, Mr. Upthegrove and Mr. Zahilay
No: 4 - Mr. Dembowski, Mr. Dunn, Ms. Lambert and Mr. von Reichbauer

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

7E1C273CE994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 5/7/2021, _____.

DocuSigned by:

4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

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|---|----------------------------|
| Envelope Id: D84B3E38B44F43E69897296D9605DFB3 | Status: Completed |
| Subject: Please DocuSign: Ordinance 19276.docx | |
| Source Envelope: | |
| Document Pages: 32 | Signatures: 3 |
| Certificate Pages: 5 | Initials: 0 |
| AutoNav: Enabled | Envelope Originator: |
| Envelopeld Stamping: Enabled | Cherie Camp |
| Time Zone: (UTC-08:00) Pacific Time (US & Canada) | 401 5th Ave |
| | Suite 100 |
| | Seattle, WA 98104 |
| | Cherie.Camp@kingcounty.gov |
| | IP Address: 198.49.222.20 |


Record Tracking

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| Security Appliance Status: Connected | Pool: FedRamp | |
| Storage Appliance Status: Connected | Pool: King County General (ITD) | Location: DocuSign |

Signer Events

Claudia Balducci
claudia.balducci@kingcounty.gov
King County General (ITD)
Security Level: Email, Account Authentication (None)

Signature


DocuSigned by:

7E1C273CE9994B6...
Signature Adoption: Pre-selected Style
Using IP Address: 73.83.124.149

Timestamp

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Viewed: 4/29/2021 3:49:58 PM
Signed: 4/29/2021 3:50:07 PM

Electronic Record and Signature Disclosure: Not Offered via DocuSign

Melani Pedroza
melani.pedroza@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

DocuSigned by:

8DE1BB375AD3422...
Signature Adoption: Uploaded Signature Image
Using IP Address: 50.35.117.117

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Signed: 4/29/2021 3:56:40 PM

Electronic Record and Signature Disclosure: Not Offered via DocuSign

Dow Constantine
Dow.Constantine@kingcounty.gov
Security Level: Email, Account Authentication (None)

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Using IP Address: 198.49.222.20

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Signed: 5/7/2021 3:03:41 PM

Electronic Record and Signature Disclosure:
Accepted: 5/7/2021 3:03:22 PM
ID: 880fd139-9a81-4b36-9b4d-bdd5644e5c02

| In Person Signer Events | Signature | Timestamp |
|------------------------------|-----------|-----------|
| Editor Delivery Events | Status | Timestamp |
| Agent Delivery Events | Status | Timestamp |
| Intermediary Delivery Events | Status | Timestamp |

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| Certified Delivery Events | Status | Timestamp |
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| Witness Events | Signature | Timestamp |
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| Notary Events | Signature | Timestamp |
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| Envelope Summary Events | Status | Timestamps |
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| Certified Delivered | Security Checked | 5/7/2021 3:03:22 PM |
| Signing Complete | Security Checked | 5/7/2021 3:03:41 PM |
| Completed | Security Checked | 5/7/2021 3:03:41 PM |

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| Payment Events | Status | Timestamps |
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| Electronic Record and Signature Disclosure |
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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: bob.johnson@kingcounty.gov

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To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at bob.johnson@kingcounty.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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- ii. send us an e-mail to bob.johnson@kingcounty.gov and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

| | |
|--------------------|---|
| Operating Systems: | Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X |
| Browsers: | Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only) |
| PDF Reader: | Acrobat® or similar software may be required to view and print PDF files |
| Screen Resolution: | 800 x 600 minimum |

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| Enabled Security Settings: | Allow per session cookies |
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- Until or unless I notify Carahsoft OBO King County ITD as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Carahsoft OBO King County ITD during the course of my relationship with you.