

Vote: Holler, Larson, Massie, Metiva and Woodruff in favor; Menard opposed

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 07-67(AM)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 8.04.040, FIREWORKS—USE PROHIBITED, TO PERMIT THE USE OF CLASS C COMMON FIREWORKS FOR A SEVEN-HOUR PERIOD ANNUALLY IN CELEBRATION OF THE NEW YEAR.**

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\* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

\* **Section 2. Amendment of section.** WMC 8.04.040, Use Prohibited, is amended to read as follows:

**8.04.040 Use prohibited.**

**A.** Except as provided **in this chapter** [HEREIN], it is unlawful to discharge fireworks within the city.

**B.** **The discharge of Class C Common Fireworks defined as saleable under AS 18.72.100, lawfully purchased outside the jurisdiction of the city, shall be allowed annually without permit on private property with permission of the property owner, during the seven-hour period beginning 6 p.m. Alaska Standard Time on December 31 and ending at 1 a.m. Alaska Standard Time on January 1, except in these restricted areas:**

**1. Within 250 feet of any health care facility or assisted living facility, library, school or place of worship;**

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

**2. Within 500 feet of any automotive service station or other premises where flammable liquids or gases are stored;**

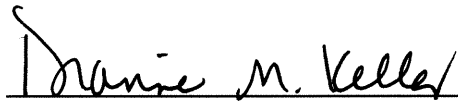
**3. Within or from any structure or vehicle; or**

**4. On or within 50 feet of lakes and waterways within City limits.**


**C. Permission to discharge fireworks in subsection B will not apply during any period when the State of Alaska Division of Forestry has a ban on open burning in effect.**

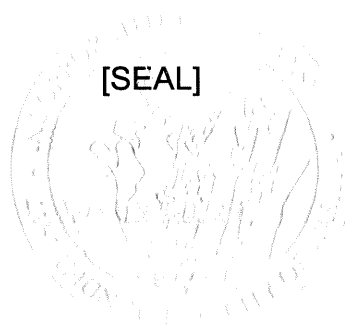
\* **Section 3. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on December 10, 2007.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
\_\_\_\_\_  
KRISTIE SMITHERS, MMC  
City Clerk



**Bold and underline added. [CAPS AND BRACKETS, DELETED.]**



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: ORDINANCE SERIAL NO. 07-67: AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 8.04.040, FIREWORKS—USE PROHIBITED, TO PERMIT THE USE OF CLASS C COMMON FIREWORKS FOR AN EIGHT-HOUR PERIOD ANNUALLY IN CELEBRATION OF THE NEW YEAR.**

Agenda of: November 26, 2007

Date: November 14, 2007

Originator: Deputy Mayor Kristofer Larson

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

**REVIEWED BY MAYOR DIANNE M. KELLER:** \_\_\_\_\_

**FISCAL IMPACT:**  yes  no      Funds Available  yes  no

Account name/number:

Attachments:

**SUMMARY STATEMENT:**

There has been significant public request for the allowance of private individuals to use fireworks during the New Years holiday celebration. This was a liberty that was previously enjoyed in the City prior to the complete ban through the Mat-Su Borough, with the exception of Houston, several years ago.

The public good that this ordinance will provide is the return of a liberty that was once enjoyed. It will allow people who, in years past, had been using fireworks illegally a way to do it without breaking the law. This will also allow the police department to focus on things that are a greater threat to public safety, such as drunk drivers, without the distraction of having to respond to fireworks complaints.

Possible down sides to this ordinance are the obvious dangers of fire and bodily harm, also noise. These risks will be limited by the open responsible use of fireworks for one night and not the repeated nuisance flare-ups during the holiday season.

The language for this ordinance is based on the ordinance that is being considered by the Municipality of Anchorage.