



City of Bothell™

CITY COUNCIL SPECIAL MEETING NOTICE

NOTICE IS HEREBY GIVEN that there will be a virtual special meeting of the Bothell City Council on Tuesday, June 29, 2021 at 6:00 PM in the Bothell Council Chambers, 18415 101st Ave NE, Bothell, WA 98011.

The purpose of the meeting is to consider an emergency ban on the sale and use of fireworks for 2021 pursuant to BMC 8.37.215. The agenda is attached.

Public testimony during public hearings and visitor comments will be accommodated through Zoom, but the public is requested to sign up for such testimony by [submitting a form HERE](#). Forms must be submitted no later than 3:00pm the day of the meeting.

For those wishing to attend by Zoom, please:

(1) click this link: <https://us02web.zoom.us/j/86221132882> (or copy the URL and paste into a web browser)

(2) call-in to the Zoom meeting by dialing 253-215-8782 and entering [862-2113-2882](#)

This notice provides the 24-hour notice required by the State Open Public Meetings Act and is not required by law to be published. If you have any questions, please contact the City Clerk at cityclerk@bothellwa.gov.

/s/ Laura K. Hathaway

Laura K. Hathaway, CMC
City Clerk

Dated: June 28, 2021

Emailed: City Council
Department Directors
Seattle Times
Bothell Reporter
Woodinville Weekly

Posted: City Hall
City of Bothell Web Site



City of Bothell™

BOTHELL CITY COUNCIL

*****VIRTUAL SPECIAL MEETING*****

AGENDA

June 29, 2021 – 6:00 PM

BOTHELL CITY HALL - 18415 101ST AVE NE BOTHELL, WA 98011

Public Notice: Pursuant to Governor Inslee’s Stay Home, Stay Healthy Proclamation 20-25 extension and the extension of Proclamation 20-28 regarding open public meetings, and in an effort to curtail the spread of the COVID-19 virus, this City Council meeting will be conducted remotely through Zoom. We encourage members of the public to attend and participate in the meeting remotely, as described in more detail below:

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The proceedings will also be available to view live or on the following day on the [City of Bothell YouTube Channel](#), or live on *BCTV Cable Access Channels 21/26 (must have Frontier/Comcast Cable).

MEMBERS OF THE CITY COUNCIL

Mayor Liam Olsen

Deputy Mayor Jeanne Zornes

Councilmember Davina Duerr

Councilmember James McNeal

Councilmember Tom Agnew

Councilmember Rosemary McAuliffe

Councilmember Mason Thompson

SPECIAL MEETING SESSION

Call to Order, Flag Salute & Roll Call

1. Meeting Agenda Approval

During this item, the City Council may identify agenda items to be continued, withdrawn, or added.

2. Visitor Comment

3. Consideration of an Emergency Ban on the Sale and Use of Fireworks for 2021 pursuant to BMC 8.37.215

4. Adjourn

CERTIFICATE:

I hereby certify that the above agenda was posted on 6/28/2021 by 6:00 P.M., on the official website and bulletin board at Bothell City Hall, 18415 101st Avenue NE, Bothell, WA, 98011, in accordance with RCW 42.30.077, at least 24 hours in advance of the published start time of the meeting.

/s/ Laura Hathaway, City Clerk

SPECIAL ACCOMODATIONS: The City of Bothell strives to provide accessible meetings for people with disabilities. If special accommodations are required, please contact the ADA Coordinator at (425) 806-6151 at least one day prior to the meeting.

Copies of agenda bills and attachments listed in this agenda may be obtained from the City Clerk's Office the Friday before the meeting.

*Bothell City Council meetings are aired live on Bothell Community Television (BCTV) Channel 21/26 (Comcast/Frontier) (available to Comcast and Frontier Cable customers within Bothell City limits). Meetings are generally replayed according to the following schedule (subject to change): Wednesday following the meeting at 10 a.m.; Friday, Saturday and Sunday following the meeting at 10 a.m. and 7 PM. City Council and Planning Commission meetings and the BCTV schedule are viewable online at www.bothellwa.gov



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Erin Leonhart, Interim City Manager
Bruce Kroon, Fire Chief
Ken Seuberlich, Police Chief
Butch Noble, Deputy Fire Chief/Fire Marshal

DATE: June 29, 2021

SUBJECT: Consideration of an Emergency Ban on the Sale, Possession, and Use of Fireworks

POLICY CONSIDERATION: This item asks the City Council to consider if the City should, on an emergency basis, ban the sale, possession, and use of fireworks.

If approved, it has the potential to impact community members by reducing the risk of fire damage to person and property.

| HISTORY: | DATE | ACTION |
|----------|-------------|--|
| | APRIL, 2016 | City Council adopted Ordinance 2190 providing for an emergency fireworks ban when hot/dry weather conditions result in high fire hazards |
| | JUNE, 2019 | City Council received a report on the Emergency Fireworks Ban process |

In 2015, record-setting, dry weather conditions prompted a statewide discussion about an emergency fireworks ban on sale, possession, and use. April 2016, the City Council adopted Ordinance No. 2190 (2016) providing for an emergency fireworks ban when hot/dry weather conditions result in high fire hazards and create a situation inherently dangerous to citizens. Per RCW 70.77.25(4), Ordinance 2190 took effect after the required one-year waiting period. To date, Bothell has not enacted any emergency orders to ban fireworks.

DISCUSSION: Emergency Fireworks Ban Process
According to Bothell Municipal Code (BMC) 8.37.215 (Emergency fireworks ban sale and use), it is upon the recommendation of the City Manager that the City Council may issue a citywide temporary order prohibiting the sale, possession,

and use of consumer fireworks. Specifically, the recommendation from the City Manager must meet stringent criteria and be based on:

“A reasonable and articulable belief that hazardous conditions exist where the sale and use of consumer fireworks poses a severe wildland-urban interface fire hazard, increasing risk and/or threatening public safety.”

The City Manager also has the duty to consult the Fire Chief and Police Chief for the best available public safety information before recommending an emergency fireworks ban to the City Council.

Conditions Monitoring: Best Available Public Safety Information

Before making its recommendation to the Interim City Manager, the Bothell Fire Department monitored, and continues to monitor, conditions pertinent to the safe use and sale of fireworks in the city. There are a number of sources that the Bothell Fire Department consulted to assess conditions including, but not limited to:

- National Weather Service Forecast (<https://www.weather.gov/forecastmaps>)
- Washington State Fire Marshal’s Office recommendations (<http://www.wsp.wa.gov/fireworks/>)
- Washington State Department of Natural Resources burn restrictions (<https://www.dnr.wa.gov/burn-restrictions>)
- Daily calls involving fireworks, grass/brush/bark fires within Bothell
- Calls from within Zone 1 (Issaquah, Bellevue, Kirkland, Redmond, Woodinville, Bothell, Northshore and Shoreline) that involve grass/brush/bark fires

FISCAL IMPACTS: None

ATTACHMENTS: Att-1. Resolution Enacting Emergency Ban on Sale, Possession, and Use of Fireworks for 2021

RECOMMENDED ACTION: Approve the resolution enacting an emergency ban on sale, possession, and use of fireworks for 2021.

RESOLUTION NO. _____ (2021)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, ORDERING AN EMERGENCY BAN ON THE SALE, POSSESSION, AND USE OF FIREWORKS IN ACCORDANCE WITH 8.37.215

WHEREAS, in 2016, the Bothell City Council adopted Ordinance No. 2190, allowing for a temporary ban on the sale, possession and use of consumer fireworks when there is a reasonable and articulable belief that hazardous conditions exist where the sale and use of consumer fireworks poses a severe wildland-urban interface fire hazard, increasing risk and/or threatening public safety, codified as BMC 8.37.215; and

WHEREAS, after consultation with the Fire Chief and Police Chief regarding the current hot/dry weather conditions that have resulted in high fire hazards and that create a situation inherently dangerous to public safety, the Interim City Manager recommends that the Bothell City Council issue a city-wide temporary order prohibiting the sale, possession and use of consumer fireworks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Issuance of City-wide Temporary Order. The Bothell City Council hereby orders a ban on the sale, possession, and use of all consumer fireworks within the city limits of Bothell, Washington.

Section 2. Effective Date. This emergency order shall be effective at 12:01 a.m. on June 30, 2021.

Section 3. Expiration Date. This emergency order shall expire at 12:01 a.m. on July 5, 2021.

Section 4. Violations of this emergency order shall be enforced in accordance with BMC 8.37.230.

Section 5. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers, and any references thereto.

PASSED this _____ day of _____, 2021.

APPROVED:

LIAM OLSEN
MAYOR

ATTEST/AUTHENTICATED:

LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
RESOLUTION NO.: _____ (2021)