

**To:** The Lake Limerick Country Club Board of Directors  
**From:** Amanda Stephen, Director  
**Date:** January 16, 2021  
**RE:** LLCC Fireworks Survey, Recommendation, and Final Status

### *Background*

State law recognizes two types of fireworks: consumer fireworks, which can be legally used, and non-consumer fireworks. Non-consumer fireworks are prohibited under state law and include "illegal" fireworks such as bottle rockets, fire crackers, and display fireworks (like aerial shells) that are set off without a state public display permit. Use of non-consumer fireworks is illegal under state law. It is a criminal misdemeanor. See RCW 70.77.

State law allows people to use consumer (legal) fireworks during the following days and times during the year: 12 Noon to 11PM on June 28th; 9AM to 11PM on June 29th to July 3rd; 9AM to midnight on July 4th; 9AM to 11PM on July 5th; 6PM on December 31st until 1AM on January 1st. Use of consumer (legal) fireworks at other times of the year violate state law. See RCW 70.77.

Currently, **LLCC follows state law** and does not have any additional restrictions on the use of fireworks. Other communities, such as the City of Shelton, have made the use of **all** fireworks within city limits illegal.

The Board is aware, through posts on social media and emails to individual board members, that some members would like a complete ban on fireworks in LLCC. In an effort to explore interest with this issue within our membership, the Board authorized me to conduct an electronic survey in Fall 2020 to find out if other members were interested in banning fireworks within LLCC and what such a ban might look like.

The survey was created using Survey Monkey and was available from October 28 through December 31, 2020. A link to the survey was posted on the LLCC website, sent out in an email to those on the LLCC website email distribution list, and mailed with both of the November and December billing statements. 226 individuals responded to the survey.

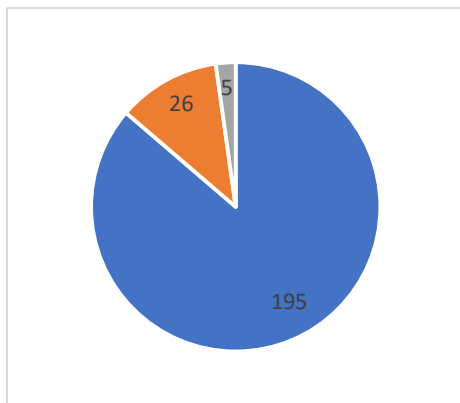
### *Survey Results*

Below are the survey answers, by question.

1. Are you aware that state law recognizes two types of fireworks: consumer fireworks and non-consumer fireworks? Non-consumer fireworks are prohibited under state law and

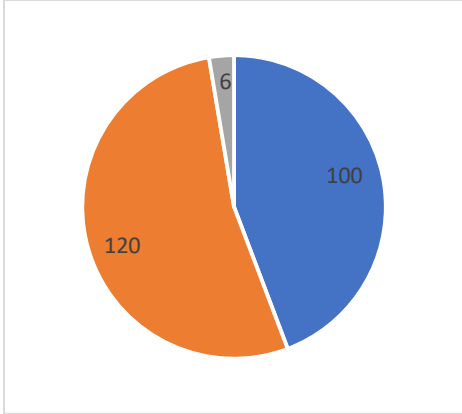
include "illegal" fireworks such as bottle rockets, fire crackers, and display fireworks (like aerial shells) that are set off without a state public display permit. Use of non-consumer fireworks is a criminal misdemeanor. See RCW 70.77 for all state rules regarding fireworks and the Mason County website for county rules about fireworks.

Answer Choices	Responses	
Yes	195	86%
No	26	12%
Unanswered	5	2%
Total	226	100%



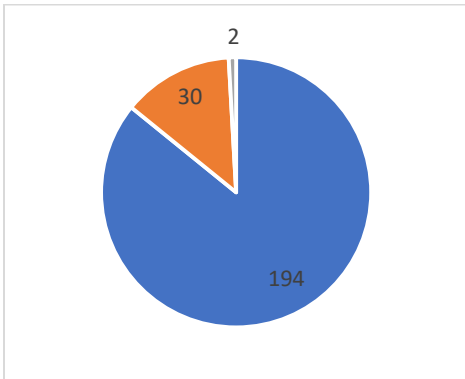
2. Would you support a Lake Limerick Country Club Association rule explicitly stating that the private use of non-consumer display fireworks ("illegal" fireworks) is a nuisance, subject to the nuisance penalties already included in the Declaration of Restrictions?

Answer Choices	Responses	
Yes	100	44%
No	120	53%
Unanswered	6	3%
Total	226	100%



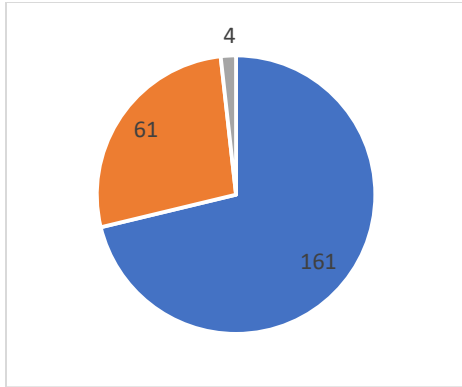
3. Are you aware that state law limits the dates and times consumer fireworks ("legal" fireworks) can be used? Those dates and times are: 12 Noon to 11PM on June 28th; 9AM to 11PM on June 29th to July 3rd; 9AM to midnight on July 4th; 9AM to 11PM on July 5th; 6PM on December 31st until 1AM on January 1st.

Answer Choices	Responses	
Yes	194	86%
No	30	13%
Unanswered	2	1%
Total	226	100%



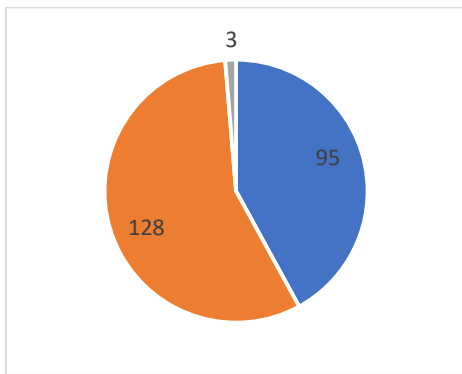
4. Do you support the use of consumer fireworks ("legal" fireworks) in Lake Limerick during those times specified by state law?

Answer Choices	Responses	
Yes	161	71%
No	61	27%
Unanswered	4	2%
Total	226	100%



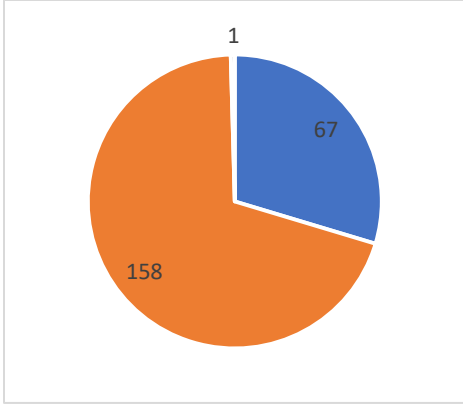
5. Would you support a partial ban on the use of consumer fireworks ("legal fireworks") in Lake Limerick? A partial ban might limit the types of consumer fireworks individuals can use in Lake Limerick or the days and times such fireworks can be discharged.

Answer Choices	Responses	
Yes	95	42%
No	128	57%
Unanswered	3	1%
Total	226	100%



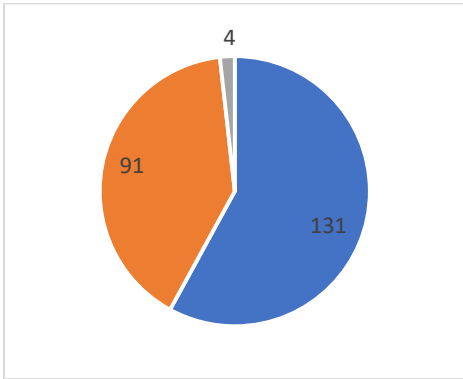
6. Would you support a ban on all fireworks in Lake Limerick, including both consumer ("legal") and non-consumer ("illegal") fireworks?

Answer Choices	Responses	
Yes	67	30%
No	158	70%
Unanswered	1	0%
Total	226	100%



7. If Lake Limerick prohibited personal use of all fireworks, would you support the funding of a community-sponsored public fireworks display, if that display were properly licensed and permitted under state law?

Answer Choices	Responses	
Yes	131	58%
No	91	40%
Unanswered	4	2%
Total	226	100%



### *Recommendations and Status*

At the January 16, 2021, Board meeting, I presented the above survey results and the following recommendations to the Board.

A solid majority of LLCC residents favor the use of fireworks within the parameters of State law, which weights strongly against a ban all fireworks within the community at this time.

Additionally, I suggested that in deciding whether or not to adopt an LLCC rule explicitly banning the use of non-consumer fireworks and the use of consumer fireworks outside of the dates and times authorized by State law at this time, the Board consider the following:

- The use of non-consumer fireworks is already illegal under state law and members may report use of such fireworks to the Mason County Sheriff's Office.
- There was not overwhelming support in the survey to adopt an LLCC rule explicitly banning the use of non-consumer fireworks.
- It would be burdensome for the LLCC Compliance Committee to be responsible for enforcing such a rule.
- Section IX of the Declaration of Restrictions already states that “[n]o noxious or offensive activity shall be carried on upon said Tract or any part thereof, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighborhood.” Members are not restricted from filing complaints with the Compliance Committee for violations of this rule due to fireworks.

Rather, I recommended that the Board use the LLCC newsletter to remind the membership to be courteous to their neighbors, to educate the membership about our current state law, and to direct members to the appropriate state authorities for reporting illegal use of fireworks within our community. Other participants at the meeting suggested conducting a similar survey in a year or two to see if member opinions have changed.

As a result, at the Board Meeting, no motions were made on this issue.

Amanda Stephen  
Director