

Yakima County – Novelty Lighters

- Yakima County Ordinance No. 1-2008, passed March 4, 2008
- Press Release, February 15, 2008 - Yakima County Proposes Ban on Novelty Lighters Board of County Commissioners to Hold Public , Tuesday, February 19, 2008
- Public Hearing: Ordinance 1-2008 Amending Chapter 13.10 Banning Novelty Lighters – Record of Proceedings

BOARD OF YAKIMA COUNTY COMMISSIONERS
ORDINANCE NO. 1-2008

IN THE MATTER OF AN ORDINANCE RELATING TO PUBLIC HEALTH AND SAFETY,
ADDING CHAPTER 13.10.75 TO YAKIMA COUNTY ORDINANCE NO. 3-2007 TO
PROHIBIT THE SALE AND DISTRIBUTION OF NOVELTY LIGHTERS

WHEREAS, novelty lighters have features which are attractive to children,
including visual effects, flashing lights, musical sounds, or toy-like designs; and,

WHEREAS, the Consumer Product Safety Commission has recalled thousands of
novelty lighters since 1996 due to their danger to public safety; and,

WHEREAS, juvenile fire setting has been identified by the National Fire
Protection Association (NFPA) as the fastest growing fire threat in the United States; and,

WHEREAS, local, state and national public safety agencies support the
prohibition of the sale and distribution of novelty lighters; and,

WHEREAS, the function of a lighter can be achieved without the novelty
attraction to children; now, therefore,

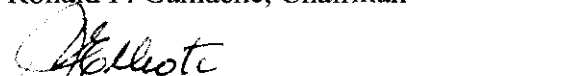
BE IT HEREBY ORDAINED that Amendment to Chapter 3, General Precautions
Against Fire, of the 2006 Edition of the International Fire Code, is hereby added as Chapter
13.10.75 to the Yakima County Code.

To be effective 90 days from date herein signed.

Dated this 4th day of March, 2008.



Ronald F. Gamache, Chairman

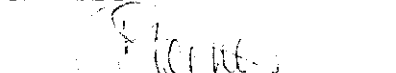


J. Rand Elliott, Commissioner



Michael D. Leita, Commissioner

ATTEST:


Christina Steiner, Clerk of the Board





YAKIMA COUNTY Public Services

Vern M. Redifer, P.E., Director



128 N 2nd St, Yakima Washington 98901 - Phone: (509) 574-2300 - Toll Free In State (800) 572-7354 - Fax: (509) 574-2301

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Yakima County Proposes Ban on Novelty Lighters Board of County Commissioners to Hold Public Hearing

FOR IMMEDIATE RELEASE: Friday, February 15, 2008

Contacts:

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YAKIMA, WA – Yakima County Commissioners will consider amending the International Fire Code to prohibit the sale and distribution of novelty lighters in Yakima County at a hearing on February 19th. The Commissioners will hear testimony regarding the appeal of these lighters and the dangers they present to children. Members of the Yakima Valley Fire and Injury Prevention Association and several local public safety agencies have expressed their support for eliminating novelty lighters, which may be mistaken for toys.

According to Yakima County Fire Marshal Jakki MacLean, fire service officials are joining in a nationwide effort to prohibit these lighters. "Even our best fire prevention efforts are thwarted when a lighter looks like a toy," Ms. MacLean said. She noted that the lighters may look like toy cars, butterflies, even toy fire hydrants and fire extinguishers.

The public is invited to offer comment on the proposed amendment at the hearing on:

Tuesday, February 19, 2008
10:30 a.m.
Yakima County Courthouse
Commissioners' Hearing Room (B-33)
128 North 2nd Street
Yakima



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Questions? Concerns? Suggestions?

If you have questions regarding the content of the site call (509)574-2300.

If you have any questions regarding this web site please e-mail webmaster@co.yakima.wa.us.

**BEFORE THE
BOARD OF YAKIMA COUNTY COMMISSIONERS**

Date: February 19, 2008
Re: Public Hearing: Ordinance 1-2008 Amending Chapter 13.10 Banning Novelty Lighters
Time: 10:30 a.m.
Location: Room B-33, Yakima County Courthouse, Yakima, Washington
Present: Chairman Ronald Gamache
Commissioner Michael D. Leita
Legal Counsel Terry Austin
Christina S. Steiner, Clerk of the Board
Jakki Maclean, Yakima County Fire Marshal

Record of Proceedings

Jakki Maclean, Fire Marshal – We are here today to ban the sale and distribution of novelty lighters and with regard to the specific amendments to the International Fire Code, I have added the appropriate reference section “a definition of a novelty lighter” and a specific code section prohibiting the sale and distribution. The penalties that are found in Chapter 13.25.010 are the same as all code violations and that actually is \$1000 or 90 days in jail or a combination of both. We want to be clear that we are not going to be the lighter police. Our intent is when we do our annual fire life safety inspections that we will look at these lighters if they are available and that will be one of the code requirements that we check off just like we do all of our other violations. It should be monitored on an annual basis but we won’t be sending people out there unless of course we have complaints about it and then we will follow up on anything like that. At times we look for data on this sort of thing but there really isn’t a lot of data available partly due to a reporting that a lot of times it will say child playing with matches, cigarettes, lighter and it may be any one of those things. The fact that it is a novelty lighter very seldom gets reported. We really don’t want to be with that kind of data today because if there is data then that means that there was a tragedy. As fire safety professionals, we believe it is our job to prevent those tragedies, even imminent at times when you look at something like this. I brought a picture just to show from the Northwest Burn Foundation of a child that had been burned. I think it is easy to just set it aside until you see something like that and then you really understand that we are talking about serious tragedy here.

I want to give a shoutout today for Ron Melcher and Yakima Fire Department. Ron really had a heart for this issue and did the majority of the legwork and went out into the community and really showed the problem to a lot of people and also Keith Schrank is the Chair of the Yakima Valley Fire and Injury Prevention Association and they are making a real effort to try to get this ban county wide and in all of the cities. It is a part of a national effort. We got a lot of our information from the State Fire Marshal Nancy Orr out of Oregon and she has done a lot of work. There is also a website on the idea bank and it says “Ban novelty lighters” that just shows that it is a national effort. Fire Service professionals are looking at this saying this clearly looks like a toy and there is no need for a lighter to look like a toy. One final comment, the Division of the Yakima County Fire Protection Bureau is to serve as partners for solutions for the development of a safe, healthy, and an economically prosperous Yakima County. We believe that this code change will help us continue that vision. I know there are a couple people for sure that want to speak to this issue today. Ron (Melcher) says you can call on me or not and of course I want to call on him.

Ron Melcher, Yakima Fire Department – I would like to speak very briefly about the novelty lighters. As Jakki mentioned there is not a lot of data out there. Common sense will still tell you that kids play with fire, kids play with lighters and these are going to be more attractive than any other lighter. These lighters have not been as common in the past years as recently. When the European Union banned these in March of 2007 that meant that the United States was going to be the biggest dumping ground for a lot of these coming out of China. We have seen a market increase on the counter tops and hardware stores and convenience stores during my time of trying to get these banned in the City of Yakima. I went to 65 different stores in town. I was directed to speak to them. I had a public meeting to let people know and part of my tact was to let them know that there could be a ban coming you might want to reduce your inventories. We didn’t want to surprise anybody. Out of the 65 people I had one owner show up to my formal meeting and his concern

APPROVED 3/25/08

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was, as you might expect, I don't like the government telling me what to do. I respect that and understand it but quite frankly what we are trying to do is to protect children. We know there is going to be issues. I have had issues with kids playing with novelty lighters in town and I have had issues with them just plain malfunctioning and starting a couple different fires. We still have a mechanism to light the fires, the Bic lighters; we are not trying to get rid of that. We are just trying to get rid of the toys so the kids are not enticed. I have a lot of stories along the way that just lend support. I did not have opposition. I was quite surprised out of the 65 places; I had a lot of support from them. Even the one person that showed up at the meeting said if you have a ban we will support you. They just didn't like the government intrusion. The bottom line was what is going to be your acceptance level for fires, injuries, or even death. How many is acceptable for you. Mine was zero. The City Council agreed and passed that Ban 70. I appreciate your consideration this morning and am available for any questions if you have them.

Ron Gamache – I believe that you said that the legitimate ignition devices are appropriate like Bic lighters. I appreciate we still have legitimate needs but we also have satisfied the curiosity factor. The attraction factor is removed and I think we should be considering this very strongly.

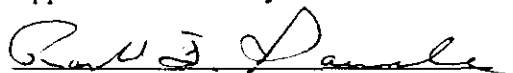
Keith Schrank, Chair of Yakima Valley Fire, Injury and Prevention Association – I wanted to add a little bit to what Ron (Melcher) had mentioned earlier. Part of the education process that ourselves as fire professionals going to schools and educate the children not to play with fire, is also we teach to play with toys not tools. With that these do look like toys so when we are educating the kids to play with the toys they are going to come across these and they are going to go ahead and play with them. I just wanted to bring that up because we do a lot in the school systems in the Yakima Valley that we teach this to them and with this effort from you guys and your consideration in this matter would be really helpful for us to continue our education process and again I want to say thank you for your time and looking into this matter for us and we really appreciate it.

Ronald Gamache – Hearing no further comment the hearing is closed.

Michael D. Leita – I appreciate the efforts of the respective fire departments and our Fire Marshal Jakki Maclean. I think it is important here, the City of Yakima initiated through Ron's (Melcher) leadership and effort here to ban these novelty dangerous lighters within the City of Yakima and I am going to speak in favor of bringing forth the ordinance to approve banning of these lighters within Yakima County and would ask that the other cities throughout the County join us in this effort to rid these novelty lighters. Yakima County is not a dumping ground for dangerous toys. Obviously there are other lighters available so there is no essence of tempting children with these types of dangerous devices. Really the penalties here that will be imposed is really not the essence here. The essence is about safety and just common sense and more importantly doing the right thing for our youth.

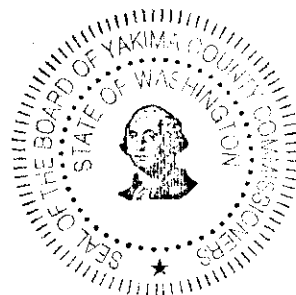
The Hearing is closed and will be decided at a future agenda.


Approved this 25th day of March 2008.


Ronald F. Gamache, Chairman

EXCUSED
J. Rand Elliott, Commissioner


Michael D. Leita, Commissioner



Attest:

Christina S. Steiner, Clerk of the Board