

Whitefish council mulls fireworks restrictions, parking program



The annual Fourth of July fireworks show over Whitefish Lake. (Heidi Desch/Whitefish Pilot file)

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The Whitefish City Council will hold public hearings Monday on a proposal to tighten fireworks restrictions, as well as a pilot program that would offer \$20-a-month parking permits to employees and owners of downtown businesses.

The council first enacted a fireworks ordinance in 2002 and amended it in 2009. Following various complaints and concerns about hazardous compounds from fireworks affecting Whitefish Lake, the council held a work session on the matter in 2019 and city staff began working on new regulations.

The proposal now before the council states that "over the years, numerous citizens have expressed concerns regarding fireworks, including excessive noise from commercial and noncommercial displays, degradation of the water quality of Whitefish Lake, debris caused by their discharge, difficulty enforcing the regulations restricting their use, and fire hazards."

The council on Monday will consider enacting fireworks regulations modeled after the city of Bozeman's. The new ordinance would:

- Ban the sale of fireworks within city limits.
- Prohibit the discharge of all types of fireworks in parks, within 1,000 feet of hospitals, nursing homes and assisted living facilities, and within 300 feet of gas stations and flammable storage facilities.
- Allow certain "consumer" fireworks to be discharged on paved city streets, not including arterials and collector streets, between 11 a.m. and 10 p.m. on July 3, and between 11 a.m. and 12 a.m. on July 4 and July 5.
- Require anyone who discharges fireworks to clean up the resulting debris.
- Raise the fine for first-time violations of the ordinance to \$500.
- Allow the city manager and the city fire marshal to review permits for public fireworks displays, require detailed applications for those permits 15 days in advance and require operators of public displays to have insurance and clean up debris.
- Allow the city to impose conditions on public displays, including banning "concussive" fireworks and publishing public notice.
- Require operators of public displays to begin phasing out fireworks containing large amounts of perchlorates — a type of highly water-soluble compound known to pose health threats to people and wildlife.

CITY STAFF

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[a 10-page "white paper"](#)

submitted by the Whitefish Lake Institute in 2019 that spells out the dangers of perchlorates, which are used in the manufacturing of propellants for rockets and missiles, as well as fireworks, airbags and blasting agents.

The institute cited scientific research revealing negative health effects of perchlorates in wildlife, including hermaphroditism in fish and inhibited larval development in amphibians. The Centers for Disease Control and Prevention warns perchlorates can cause thyroid damage in humans, posing heightened risk to infants, children, pregnant women and their fetuses, people with preexisting thyroid deficiencies and those with iodine-deficient diets.

The Environmental Protection Agency determined in 2011 that perchlorates meet the criteria for regulation as a contaminant under the Safe Drinking Water Act, but last June, then-administrator Andrew Wheeler, a Trump appointee, announced the agency was rescinding that determination. The EPA has set no threshold for federal regulation of perchlorates in drinking water, known as a maximum contaminant level.

Whitefish sources some of the city's drinking water not far from the barge where fireworks are shot upward every Fourth of July; many homeowners along the shoreline also source water directly from the lake. While levels of perchlorates had not been directly measured in Whitefish Lake, the institute cited research from other bodies of water showing the compounds can spread quickly and linger long after fireworks displays.

"One study found that elevated levels of perchlorate can remain in water for up to 90 days ... which means many Whitefish residents could be sourcing perchlorate-contaminated water for extended periods following the fireworks display," the paper states. "Moreover, if the barge burns down, which has occurred twice in recent years, it could potentially increase the amount of perchlorates released into the water, making the contamination more severe."

The proposed ordinance would require operators of public fireworks displays to replace an increasing share of their fireworks with ones that contain little or no perchlorates. By 2025, at least half of the fireworks used in public displays in Whitefish would have to use alternative formulations, including nitrogen-rich compounds, alkali metals and alkaline earth metal salts that are more eco-friendly.

"Although these new fireworks will be more expensive, we believe that the citizens and businesses of Whitefish will be willing to contribute towards this healthier alternative once they understand the issue and its importance for protecting the water quality of Whitefish Lake," the paper states.

THE COUNCIL

also will consider enacting a pilot program that would offer \$20-a-month parking permits to owners and employees of downtown businesses. The program would run through July and August and eliminate the need for workers to move their cars throughout the day, as many parking spaces downtown are limited to two or three hours.

Instead, those with permits could park all day in the lot at Third Street and Central Avenue, the lot at East First Street and Spokane Avenue, the lot directly south of the Whitefish Community Library, or on the third floor of the parking garage at East First Street and Baker Avenue.

That also could free up downtown street parking and help ease traffic congestion.

The council held a work session on the proposal last month. The resolution now before the council indicates the city would test the program by issuing a maximum of 85 permits in July and August; they would be reserved for people who work downtown. Details of the program were recommended by an eight-member committee of city staff, school district staff and business representatives.

"The committee recognized the importance of alleviating the need for employees and business owners to leave work to move cars to avoid parking tickets; keeping convenient on-street parking open for customers of downtown businesses; minimizing the costs to the city of implementing the pilot program; and collecting data from the pilot program to form future parking management decisions," City Clerk Michelle Howke wrote in a memo to the council.

The meeting will begin at 7:10 p.m. Monday and be held remotely via Webex video conferencing. Instructions for tuning in, as well as the full meeting agenda and other documents, can be found on the city's website.

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