



ORDINANCE 673

AN ORDINANCE AMENDING THE GRIMES CODE OF ORDINANCES SECTION 41.12 REGULATING FIREWORKS BE IN ENACTED BY THE CITY COUNCIL OF THE CITY OF GRIMES, IOWA

SECTION 1. Purpose. The purpose of this Ordinance is to amend the Grimes Code of Ordinances Section 41.12 regulating the use of fireworks to conform to recently amended state law.

SECTION 2. Amendment. Grimes Code of Ordinances Section 41.12 is amended by the following underlined or strike through language:

41.12 FIREWORKS REGULATIONS AND PERMITTING.

- A. Display Fireworks. It is unlawful for any person to use or explode ~~any display~~ fireworks as defined in Iowa Code Section 727.2(1)(b) of the Code of Iowa; provided the Council may, upon application in writing, and payment of a fee set by Council resolution, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks and other organizations or groups of individuals approved by the Council when such fireworks display will be handled by a competent operator. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts:
1. Personal Injury: - \$250,000.00 per person
 2. Property Damage: - \$50,000.00
 3. Total Exposure: - \$1,000,000.
- B. Consumer Fireworks and Novelties Sales. Consumer fireworks and novelties as defined by Iowa Code Sections 727.2(a) and (c) are permitted to be sold if the licensed seller complies with the licensing, registration and storage requirements of Iowa Code Sections 100.19 and 100.19A. In addition, the licensed seller must comply with Grimes Code of Ordinance Chapters 122, 154, and 156, as well as the provisions of National Fire Protection Standard (NFPA) 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles (2006 Edition), where applicable to the licensed seller's consumer firework business activities.
- C. Consumer Fireworks and Novelties Use. Consumer fireworks and novelties may be discharged with compliance with the following restrictions:
- a. Consumer fireworks will only be used or exploded by an adult on that adult's real property or on the property of an adult who has consented to the use or explosion of consumer fireworks on that property.

- b. Consumer fireworks will not be used or exploded by a person who is less than eighteen years old, unless that person is under the direct supervision of a parent or a custodial adult.
 - c. Consumer fireworks will not be used or discharged at any time other than the following permitted times:
 - i. July 1 to July 8 from 9 a.m. to 10 p.m., except for July 4 when the allowed time is from 9 a.m. to 11 p.m.
 - ii. December 29 to January 3 from 9 a.m. to 10 p.m., except that on December 31 the time is extended to 12:30 a.m. on January 1.
 - d. Novelties are not subject to the provisions of subsections (a) through (c) above.
- D. Discharge of fireworks are prohibited if a burning ban proclamation has been issued by the Mayor.
- E. Violation. A violation of any provision of Grimes Code of Ordinance Section 41.12 is a municipal infraction pursuant to the provisions of the Grimes Code of Ordinances Chapter 4 punishable by the issuing of a citation requiring payment of a \$100 penalty.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5: Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the City Council on this 27th day of June and approved on this 27th day of June, 2017.

ATTEST:

Thomas M. Armstrong, Mayor

Rochelle Williams, City Clerk