

VILLAGE OF MATTAWAN

FIREWORKS ORDINANCE

ORDINANCE # 244

An Ordinance to set rules and regulations for fireworks.

SECTION 1. PURPOSE

The Michigan Fireworks Safety Act legalized the sale, possession, and use of consumer fireworks in Michigan while granting limited control over the use and discharge of fireworks to local municipalities. Since the adoption of the Act, the citizens of the Village of Mattawan have endured the disruption of the peace and quietude of its residential neighborhoods resulting in a negative impact to the quality of life of residents. Additionally, the resources of the Village have been impacted due to increased complaints of noise owing to the use of consumer fireworks.

The purpose of this ordinance is to impose conditions on the time, place, and manner of the use and discharge of consumer fireworks so as to promote the interest of the public health, safety and welfare.

SECTION 2. DEFINITIONS

As used in this ordinance, the following terms shall have the meanings indicated”

ACT:

The Michigan Fireworks Safety Act, MCLA 28.451 et seq.

CONSUMER FIREWORKS:

Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR Parts 1500 and 1507, and are listed in APA Standard 87-1,3.1.2, 3.1.3, or 3.5 “Consumer fireworks” does not include low-impact fireworks.

LOW IMPACT FIREWORKS:

Ground and handheld sparkling devices, as that phrase is defined under APA Standard 87-1,3.1., 3.1.1.1.1 to 3.1.1.1.8, and 3.5.

MINOR:

An individual who is less than 18 years of age.

SECTION 3 . FIREWORKS PROHIBITIONS:

A person shall not ignite, discharge, or use consumer fireworks except on the **day preceding, the day of, or the day after** a national holiday, nor after 1 AM and before 8 AM on the three allowed days.

No person shall ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use consumer fireworks on those premises.

Consumer fireworks shall not be sold to a minor.

SECTION 4. PENALTIES:

A person who violates this ordinance is responsible for a 90 day misdemeanor with a maximum fine of \$500.

This Ordinance shall take effect 10 days after publication.

I, Ruth Goheen, Clerk of the Village of Mattawan, certify that at a regular meeting of the Village Council held on August 12, 2013 @ 7:00 PM, at the Village Hall meeting room, at which the following members were present:

Smith, Kirklin, Hatzinikolis, McLean, Markle, Daly Spulick

The Council adopted Ordinance 243, to become effective 10 days after publication and that the members of the Council present voted on the adoption of the Ordinance as follows:

Ayes: 7

Nays: 0

Absent: 0

Abstentions: 0

Ruth Goheen

Ruth Goheen
Village Clerk

Date: August 12, 2013

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