



April 8, 2019

Council Meeting of April 16, 2019
Subject: Introduction Ordinance
Amendment – Fireworks

The Honorable Mayor
and
Members of the City Council

Ladies and Gentlemen:

City Council is requested to consider amending Chapter 22 of the Code of Ordinances (Offenses) to restrict the ignition, discharge, and use of consumer fireworks to the extent allowed by State law (§28.457). In August of 2018, Michigan law was amended to allow local ordinances to restrict the number of days in which consumer fireworks may be ignited and the conditions differ from the existing ordinance.

If adopted, this ordinance amendment would prohibit the ignition, discharge, and use of consumer fireworks on the following days before 11 a.m.:

- December 31 until 1 a.m. on January 1
- The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- June 29 to July 4 until 11:45 p.m. on each of those days.
- July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

If the Council so desires, the attached ordinance amendment will be introduced at the April 16, 2019 meeting and adopted at the May 6, 2019 City Council meeting.

Respectfully Submitted,

Mark C. Meyers,
City Administrator

MCM/JG
Attachment

Administration/City Clerk (231) 798-4391	Assessing Division (231) 799-6806	Building Division (231) 799-6801	Finance/Treasurer (231) 799-6805	Fire Prevention (231) 799-6809	Fire Department (231) 798-2255
Parks/Recreation (231) 799-6802	Planning/Zoning (231) 799-6800	Police Department (231) 733-2691	Public Works (231) 799-6803	Streets Division (231) 798-2156	Water/Sewer (231) 799-6804

CITY OF NORTON SHORES
COUNTY OF MUSKEGON
STATE OF MICHIGAN

Ordinance No. ____

AN ORDINANCE TO AMEND CHAPTER 22 OF THE CODE OF ORDINANCES

THE CITY OF NORTON SHORES ORDAINS:

Section 1: That Article I entitled "In General" of Chapter 22 of the Code of Ordinances is hereby amended as follows:

Section 2: Section 22-1 (b)(5) should read as follows:

"Ignite, discharge or use consumer fireworks except of the type and under the conditions permitted by state law on the following days after 11 a.m:

- (a) December 31 until 1 a.m. on January 1
- (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- (c) June 29 to July 4 until 11:45 p.m. on each of those days.
- (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Section 3: Severability: Should any part of this ordinance be held invalid by a Court of Competent Jurisdiction, the remaining parts shall be severable and shall continue in force and effect.

Section 4: Ordinance Repeal: All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 5: Effective Date: This ordinance shall be effective upon adoption and publication.

Shelly Stibitz, City Clerk

Introduced:

Adopted:

Published:

Effective:



Internal Memo

March 26, 2019

TO: Mark C. Meyers, City Administrator
FROM: Jon Gale, Chief of Police
SUBJECT: Fireworks Ordinance Amendment

Based on the change in State law (Public Act 635 of 2018, An act to regulate the purchase, possession, sale, and use of certain fireworks) and the City's options to restrict the discharge of fireworks except for certain days, I am recommending the amendment of City Ordinance Chapter 22, Sec. 22-1(b)(5) to conform with state law.

In December 2018, the act was amended to also allow the City to enact an ordinance prohibiting the use of fireworks during the following days before 11a.m:

- (a) December 31 until 1 a.m. on January 1
- (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- (c) June 29 to July 4 until 11:45 p.m. on each of those days.
- (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

I am requesting that an amendment to Chapter 22, Sec. 22-1(b)(5) be introduced at the April 16, 2019 City Council meeting to restrict the use of fireworks and conform to State law.