

IMMEDIATE CONSIDERATION

IMMEDIATE EFFECT

AN ORDINANCE TO AMEND TITLE IX OF THE CODE OF THE CITY OF GRAND RAPIDS, "POLICE REGULATIONS," BY ADDING A NEW CHAPTER 173 ENTITLED "FIREWORKS".

ORDINANCE NO. 12-

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That a new Chapter 173 entitled "Fireworks" is hereby adopted within Title IX of the Code of the City of Grand Rapids, which shall read as follows:

"Chapter 173

FIREWORKS

Section 9.905. Definitions.

As used in this chapter, the following definitions shall apply:

- (1) "Act 256" means the Michigan Fireworks Safety Act, Act 256 of the Public Acts of Michigan of 2011, being MCL 28.451, et seq., as it may be amended from time to time.
- (2) "Consumer fireworks" means that term as defined in Act 256.
- (3) "Firework" or "fireworks" means that term as defined in Act 256.
- (4) "Retailer" means that term as defined in Act 256.
- (5) "Wholesaler" means that term as defined in Act 256.

Section 9.906. Compliance with Applicable Ordinances and Codes.

Unless otherwise provided in this Chapter, a retailer or wholesaler of fireworks located within the City must comply with the requirements of the City's Zoning Ordinance, as well as all building codes and regulations.

Section 9.907. Use of Consumer Fireworks Prohibited.

No person shall ignite, discharge or use consumer fireworks in the City; except this prohibition shall not preclude any person from igniting, discharging or using consumer

fireworks within the City on the day proceeding, the day of, or the day after a national holiday, consistent with Act 256.

Section 9.908. Firework Safety.

No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

Section 9.909. Violations, Fines and Penalties.

Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, punishable by up to ninety (90) days in jail and/or a fine up to \$500.00.

Sections 9.910– 9.999 Reserved.”

Section 2. This ordinance shall be effective at 12:00 a.m. on July 1, 2012.

Drafted by Catherine M. Mish, City Attorney

	Yeas		Nays
	_____	Bliss	_____
	_____	Gutowski	_____
	_____	Kelly	_____
	_____	Lumpkins	_____
	_____	Shaffer	_____
	_____	White	_____
	_____	Mayor Heartwell	_____
Yeas:	_____	Nays:	_____
Adopted:	_____	Failed:	_____