

CITY OF FENNVILLE  
ALLEGAN COUNTY, MICHIGAN

Ordinance No. 2019-03

**AN ORDINANCE TO AMEND CHAPTER 29 OF THE CODE OF ORDINANCES IN ORDER TO INCORPORATE CHANGES TO STATE LAW REGARDING FIREWORKS AND TO CONFIRM THAT IGNITION AND DISCHARGE OF FIREWORKS IS NOT PERMITTED EXCEPT ON CERTAIN DAYS**

WHEREAS, the State of Michigan recently passed a new law allowing communities to better regulate when consumer fireworks may be discharged.

THEREFORE, the City of Fennville Ordains:

**SECTION 1.**

Section 29-2 & 29-7 of the City of Fennville Code of Ordinances are hereby amended to read as follows:

**Section 29-2: General prohibition on ignition, discharge, and use of consumer fireworks; exception.**

No person shall ignite, discharge, or use fireworks within the City at any time except that:

1. Fireworks may be discharged in strict compliance with any permit issued by the City in accordance with the Act.
2. A person may ignite, discharge or use consumer fireworks within the city during the following times only:
  - a) Between 11:00 a.m. on December 31 and 1:00 a.m. on the immediately following January 1.
  - b) Between 11:00 a.m. and 11:45 p.m. on the Saturday immediately preceding Memorial Day.
  - c) Between 11:00 a.m. and 11:45 p.m. on the Sunday immediately preceding Memorial Day.
  - d) Between 11:00 a.m. and 11:45 p.m. on June 29, June 30, July 1, July 2, July 3 and July 4.
  - e) Between 11:00 a.m. and 11:45 p.m. on July 5, if that date is a Friday or Saturday.
  - f) Between 11:00 a.m. and 11:45 p.m. on the Saturday immediately preceding Labor Day.
  - g) Between 11:00 a.m. and 11:45 p.m. on the Sunday immediately preceding Labor Day.
3. This section, (29-2) shall not apply to low impact fireworks.

**Section 29-7: Penalty**

A violation of this Section is a municipal civil infraction, punishable by a civil fine of \$1,000 for each violation. Pursuant to the Fireworks Safety Act, \$500 of the fine shall be remitted to the City's police department, which is charged with the responsibility of enforcing this section.

## **SECTION 2**

Severability: The provision of this ordinance shall be deemed severable and it is expressly declared that the City of Fennville City Commission would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid; and if any provisions of this ordinance or the application thereof to any person or circumstances I held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

## **SECTION 3**

Effective Date: This ordinance shall take effect after its passage and upon publication as provided by City Charter.

INTRODUCED by the City Commission of the City of Fennville on the 1<sup>st</sup> day of July, 2019.

ADOPTED by the City Commission of the City of Fennville on the 15<sup>th</sup> day of July, 2019.

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Thomas Pantelleria, Mayor

## **CERTIFICATE**

I, the undersigned, the duly qualified Clerk/Treasurer of the City of Fennville, Allegan County, State of Michigan, do hereby certify that the foregoing Ordinance was adopted by the City of Fennville City Commission on the 15<sup>th</sup> day of July, 2019; and the same was published in a paper of general circulation in the City of the 25<sup>th</sup> day of July, 2019.

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Deborah Perez, City Clerk/Treasurer