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RESOLUTION NO. 17-
City Council

RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER AMENDING HIAWATHA CODE OF ORDINANCES CHAPTER 41 PUBLIC HEALTH AND SAFETY §41.12 ILLEGAL USE OF FIREWORKS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to direct staff to proceed with notification of a public hearing that will be held in the Hiawatha Council Chambers, 101 Emmons Street, before the Hiawatha City Council on Wednesday, June 21, 2017 at 5:30 P.M. regarding amending Hiawatha Code of Ordinance Chapter 41 Public Health and Safety by adding §41.12 Illegal Use of Fireworks by establishing a fine for illegal use of fireworks

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 7th day of June, 2017.

_____
Marty Bruns, Mayor Pro-Tem

ATTEST:

_____
Kelly Kornegor, City Clerk

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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING CHAPTER 41 PUBLIC HEALTH AND SAFETY BY ADDING §41.12: ILLEGAL USE OF FIREWORKS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA:

SECTION 1. Chapter 41 Public Health and Safety of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended and adopted by adding the following:

CHAPTER 41

PUBLIC HEALTH AND SAFETY

41.01 Distributing Dangerous Substances
41.02 False Reports to or Communications with Public Safety Entities
41.03 Refusing to Assist Officer
41.04 Harassment of Public Officers and Employees
41.05 Abandoned or Unattended Refrigerators
41.06 Antenna and Radio Wires
41.07 Barbed Wire and Electric Fences
41.08 Discharging Weapons and Firearms
41.09 Throwing and Shooting
41.10 Urinating and Defecating
41.11 Pseudoephedrine Restrictions
41.12 Illegal Use of Fireworks

(ADD SECTION)

41.12 ILLEGAL USE OF FIREWORKS.

1. **A person, firm, partnership, or corporation who sells consumer fireworks to a person who is less than eighteen years of age commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars. A person who is less than eighteen years of age who purchases consumer fireworks commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.**

2. **A person who uses or explodes consumer fireworks or novelties while the use of such devices is prohibited or limited by an ordinance adopted by the city in which the fireworks are used commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.**

3. **A person who uses or explodes consumer fireworks or novelties while the use of such devices is suspended by an order of the state fire marshal commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.**

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SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 21st day of June, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the _____ day of June, 2017, and was published as Ordinance No. ____ on the _____ day of June, 2017.

_____
Kelly Kornegor, City Clerk