F4a

K Kornegor

Subject: FW: fireworks question

-----Original Message-----
From: K Downs [mailto:cityadmin@hiawatha-iowa.com]
Sent: Thursday, October 12, 2017 3:10 PM
To: K Kornegor
Subject: FW: fireworks question

FYI

-----Original Message-----
From: Deb Krebill [mailto:DKrebill@cityofmarion.org]
Sent: Wednesday, October 11, 2017 3:38 PM
Subject: RE: fireworks question

Marion - Two ordinances are going to the council next week....

1) Total ban of the use of fireworks
2) Use of fireworks July 3rd from 3:00 PM to 11:00 PM, July 4th from 12:00 PM to 11:00 PM and December 31st from 9:00 PM to 12:30 PM

Times of day are not for sure.....let you know which they choose. Vote is the 19th.

DRAFT

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, November 1, 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 time period to use and explode consumer fireworks.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 18th day of October, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

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 AMENDING §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, Section 41.12 Illegal Use of Fireworks of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended as follows:

CHAPTER 41

PUBLIC HEALTH AND SAFETY

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 age eighteen or older may use or explode consumer fireworks during the following designated times:

July 3rd from 3:00 p.m. to 11:00 p.m.
July 4th from 12:00 p.m. to 11:00 p.m.
December 31st from 9:00 p.m. to January 1st 12:30 a.m.

~~3.~~ 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.

~~4.~~ 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.

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 1st day of November, 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 1st day of November, 2017, and was published as Ordinance No. _____ on the _____ day of November, 2017.

_____
Kelly Kornegor, City Clerk