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CITY ADMINISTRATOR'S OFFICE MEMO
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319-393-1515 ext.523

To: Mayor and City Council

From: City Administrator, Kim Downs & Community Development Director Pat Parsley

Date: October 6, 2017

RE: Fireworks Senate File 489-Hiawatha Amendment

Last summer council unanimously voted to mirror Iowa's Senate File 489 that allowed the use and sales of fireworks in Hiawatha. The bill reversed decades of a prohibition that allowed only novelty fireworks like sparklers, snakes and now bottle rockets, firecrackers, roman candles, and other consumer-grade fireworks during two yearly time periods June 1 through July 8 and December 10 through January 3 of each year. The bill also allowed the retails sales at permanent buildings from June 1 and July 8 and between December 10 and January 3 each year. Temporary structures retail sales were also allowed from June 13 through July 8 with no zoning restrictions.

Shortly, thereafter city staff began receiving phone calls and concern citizens' emails asking the city to limit or ban fireworks due to high fireworks activity. Initially, our thought process was that people would police themselves but we soon discovered that was not necessarily the case.
City staff received at least 30 recordable requests from citizens asking to limit the use to one day or to ban the use.

During our last meeting in July Mayor Bennett asked council to consider having discussions to change our position on the use of fireworks. On August 22 the city of Cedar Rapids took action banning the use of fireworks and limiting the sales of fireworks to industrial zoned areas only. The city of Marion continues to have discussions but appears to be favoring the use of fireworks only on the 4th of July and limiting the zones for sales.

In speaking with the chiefs Dennis Marks and Mike Nesslage. Chief Marks preference would be to allow a very short window for the use of fireworks either from July 1-4 or July 3-4. He feels a total ban would cause otherwise law-abiding citizens to break the law. Another part of the conversation should be what would council's expectation of public safety be. Chief Nesslage is fully supportive in banning fireworks. The bill has resulted in needless injuries for Iowa children, created problems for war veterans suffering from post-traumatic stress disorder and caused trouble for many dogs.

This memo is meant to provide you information to initiate a conversation as to whether you would like to continue to follow the state code or set stricter perimeters on the use and sale of fireworks or if you would like to simply ban the use period and limited sales to only industrial areas.

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RESOLUTION NO. 1187-08-17

WHEREAS, at the Public Safety and Youth Services Committee met on August 8, 2017, to discuss the use and sales of fireworks in Cedar Rapids as a result of Iowa Senate File 489 that was approved by the Iowa State General Assembly and signed into law on May 9, 2017, and

WHEREAS, the Committee voted unanimously to recommend to the Cedar Rapids City Council to support a ban on the use of fireworks in Cedar Rapids, and

WHEREAS, the Committee further voted unanimously to recommend that the sale of fireworks be limited to Industrial zoned areas of Cedar Rapids,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Council of the City of Cedar Rapids supports the recommendation of the Public Safety and Youth Services Committee regarding fireworks and directs staff to prepare the appropriate documents and actions to effect this change as follows,

1. Ban the use of fireworks in Cedar Rapids, and

2. Limit the sales of fireworks to Industrial zoned areas in Cedar Rapids.

Passed this 22nd day of August, 2017.

Voting: Council member Weinacht moved the adoption of the resolution; seconded by Council member Poe. Adopted, Ayes, Council members Gulick, Olson, Overland, Poe, Russell and Weinacht. Nay, Mayor Corbett.

Ron J Corbett

Ron J. Corbett, Mayor

Attest:

Amy Stevenson

Amy Stevenson, City Clerk