

CHAPTER 4 FIREWORKS

3-4-1 DEFINITION

3-4-4 EXCEPTIONS

3-4-2 FIREWORKS USE REGULATIONS

3-4-5 PENALTIES REGULATIONS

3-4-3 FIREWORKS SALE

3-4-1 DEFINITION. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

- 1. "Fireworks" includes any item or class of items as defined in Iowa Code Sec. 727.2(1).

3-4-2 FIREWORKS USE REGULATIONS. It is unlawful for any person to use or explode any fireworks as defined herein, except for on the following dates:

- 1. July 1st – July 7th – 9:00 a.m. to 10:00 p.m.
a. Exception: Discharge hours are extended to 11 p.m. on July 4th only.
2. December 31st at 6:00 p.m. through January 1st at 12:30 a.m.

All remaining limitations and exceptions stated in Senate File 489, including but not limited to Iowa Code §§ 100.19 and 727.2(3)-(5), shall remain in full force and effect.

With respect to "display fireworks" as defined in Iowa Code § 727.2(1)(b) the City may, upon application in writing, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks and other organizations or groups of individuals approved by City authorities when such fireworks display will be handled by a competent operator. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts: (Code of Iowa, Sections 727.2: 364.2(6))

- Personal Injury: \$250,000 per person.
Property Damage: \$50,000
Total Exposure: \$1,000,000

3-4-3 FIREWORKS SALE REGULATIONS.

1. The City hereby adopts all standards, rules, regulations, and the like promulgated or that will be promulgated by the State Fire Marshall regarding the sale of fireworks pursuant to Iowa Code §§ 100.1: 100.19: 727.2. The City specifically adopts National Fire Protection Association standard 1124 with respect to the requirements for the handling, storage, transportation, display, and retail sale of fireworks.

2. All other provisions of the City Code of Ordinances not in conflict with this Section or with the laws of the State of Iowa remain valid and enforceable.

(Code of Iowa, Sections 727.2: 364.2(6))

3-4-4 EXCEPTIONS. This section does not prohibit the sale by a resident, dealer, manufacturer or jobber of such fireworks as are not prohibited: or the sale of any kind of fireworks if they are to be shipped out of State: or the sale or use of blank cartridges for a show or theatre, or for signal purposes in athletic sports or by railroads or trucks for signal purposes, or by a recognized military organization. This section does not apply to any substance or composition prepared and sold for medicinal or fumigation purposes. (Code of Iowa, Sec. 727.2)

3-4-5 PENALTIES. Any person who violates the provisions of the fireworks ordinance shall be guilty of a scheduled simple misdemeanor violation punishable by a \$500 fine in addition to established court costs. Persons who cause injury as a result of reckless discharging of fireworks shall be guilty of a serious misdemeanor charge with appearance before a magistrate required. (Code of Iowa, Sections 100.19: 727.2) (Ord. 1138, 06-05-2017 June 5, 2017)

TITLE III COMMUNITY PROTECTION

