

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE TO AMEND AND RESTATE ARTICLE IV OF**  
**CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF**  
**GRANDVILLE TO INCORPORATE THE PROVISIONS OF THE**  
**MICHIGAN FIREWORKS SAFETY ACT.**

**THE CITY OF GRANDVILLE ORDAINS:**

Section 1. Amendment and Restatement of Article IV of Chapter 10.

Article IV of Chapter 10 of the Code of Ordinances of the City of Grandville (the "City") entitled "Fireworks" is hereby amended and restated to read in its entirety as follows:

**Section 10-66. Definitions.**

The following words and phrases, when used in this article, shall have the meaning respectively ascribed to them:

*Consumer fireworks* means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission, including sky rockets, bottle rockets, missile-type rockets helicopters, aerial spinners, and roman candles containing not more than 20 g of chemical composition, mines and shell devices containing not more than 60 g of chemical composition, aerial shell kit with reloadable tube containing not more than 12 small aerial shells with each aerial shell limited to a maximum of 60 g of chemical composition, firecrackers containing not more than 50 mg of explosive composition, chasers containing not more than 20 g of chemical composition, and multiple tube fireworks devices and pyrotechnic articles limited to a maximum of 200 g of total pyrotechnic composition.

*Low impact fireworks* means ground and hand-held sparkling devices that produce a shower of white, gold or colored sparks as their primary pyrotechnic effect and do not explode or produce a report, including cylindrical fountains containing not more than 75 g of pyrotechnic composition, cone fountains containing not more than 50 g of pyrotechnic composition, illuminating torches containing not more than 100 g of pyrotechnic composition, wheels containing not more than 200 g total pyrotechnic composition, ground spinners containing not more than 20 g of pyrotechnic composition, flitter sparklers filled with not more than 5 g of pyrotechnic composition, toy smoke devices containing not more than 200 g of pyrotechnic composition, and wire sparklers containing not more than 100 g of pyrotechnic composition..

**Section 10-67. Ignition, Discharge or Use of Consumer Fireworks.**

No person shall at any time ignite, discharge or use consumer fireworks within the City. The foregoing restriction shall not apply on the day preceding, the day of, or the day after a national holiday (as defined by 5 USC 6103).

**Section 10-68. Offenses against property.**

No person shall at any time ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.

**Section 10-69. Use of fireworks under the influence.**

An individual shall not use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance (as defined by MCL 257.1d and MCL 257.8b).

**Section 10-70. Age limitation for sale.**

Consumer fireworks shall not be sold to a person under the age of eighteen (18) years within the City.

**Section 10-71. Miscellaneous offenses.**

No person shall ignite, discharge, or use consumer fireworks within the City except of the type permitted and under the conditions permitted by state law.

**Section 10-72. Penalties.**

- (a) Any violation of Article IV of Chapter 10 of the Code of Ordinances of the City of Grandville entitled "Fireworks", particularly sections 10-67, 10-68, 10-69, 10-70 and 10-71, shall be a Civil Infraction in accordance with Section 11-9 of this Code; and subject to payment of a civil fine, plus costs and other sanctions, for each infraction or repeat offense, as provided by Section 1-9(c) of this Code.
- (b) The officers of the police department are hereby designated as the authorized city official to issue municipal civil infraction citations (directing the alleged violators to appear in court) or municipal civil infraction violation notices (directing the alleged violator to

appear at the municipal ordinance violation bureau) as provided by this Code.

Section 2.     Severability.

Sections of this Ordinance shall be deemed severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 3.     Effective Date.

This Ordinance is declared an emergency Ordinance.

This Ordinance shall become effective on July 1, 2012.

YEAS:

NAYS:

ABSENT:

**ORDINANCE DECLARED ADOPTED.**

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council of the City of Grandville, Michigan, at a regular meeting held on \_\_\_\_\_, \_\_\_\_\_, and that the meeting was conducted and public notice of the Open Meetings act, being act 267, Public Acts of Michigan, 1976, as amended, including the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

\_\_\_\_\_  
Mary L. Meines, Grandville City Clerk

INTRODUCED: \_\_\_\_\_  
ADOPTED: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
EFFECTIVE: \_\_\_\_\_