

ORDINANCE NO. 18-21

AN ORDINANCE AMENDING FIREWORKS USAGE DATES BY AMENDING CHAPTER 41 OF THE NORWALK CITY CODE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

Section 1. Purpose. The purpose of this ordinance is to amend Chapter 41 of the Norwalk Code by revising the fireworks usage dates. It is determined by the Council, that for the purpose of providing for the safety and welfare of its citizens, these revisions to the allowable usage dates for fireworks shall be established.

Section 2. Section Modified. Chapter 41.12 of the Norwalk Code - Fireworks, shall be modified as follows:

Section 41.12 will be replaced with the following:

41.12 FIREWORKS.

1. Definition. "Fireworks" or "Consumer Fireworks" as used in this Section, shall mean those items listed or referred to under the definition of "First-Class Consumer Fireworks" and "Second-Class Consumer Fireworks" as set forth under Iowa Code Chapter 100.
2. A person shall not use or explode consumer fireworks on days other than June 29 through July 8 and on December 31 of each year, all dates inclusive and at times other than between the hours of 4:00 p.m. and 10:00 p.m., except that on the following dates consumer fireworks shall not be used at times other than between the hours specified:
 - a. Between the hours of 4:00 p.m. on December 31 and 12:30 a.m. on the immediately following day.
3. A person shall not use, explode or discharge consumer fireworks on real property other than that person's real property or on the real property of a person who has consented to the use of consumer fireworks on that property. A person shall not use, explode or discharge consumer fireworks on publicly owned property except as specifically authorized by permit issued pursuant to the Norwalk Code. A person that chooses to use, explode or discharge consumer fireworks on their property shall have responsibility to clean up all debris created by the fireworks.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Severability Clause. In 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 5. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this 4th day of October, 2018.

Tom Phillips, Mayor

Attest:

Lindsey Offenburger, City Clerk

First Reading: October 4, 2018

Second Reading: October 4, 2018

Third Reading: October 4, 2018

I certify that the foregoing was published as Ordinance No. 18-21 on the 11th day of October, 2018.

City Clerk