

# CHARTER TOWNSHIP OF YPSILANTI

## PROPOSED ORDINANCE NO. 2019-485

### *An Ordinance to Amend the Charter Township of Ypsilanti Code of Ordinances, Chapter 42-210 entitled Fireworks*

The Charter Township of Ypsilanti hereby ordains that the Charter Township of Ypsilanti Code of Ordinances, Chapter 42-210 entitled Fireworks, is amended as follows:

**Delete:** In its entirety, Section 42-210 entitled Fireworks and

**Add:** The following new Fireworks provisions to Chapter 42.

(a) *Definitions:* As used in this section;

(1) *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 Produce Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks

(2) *Firework or fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designated for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.

(3) *Low-impact fireworks* means ground and handheld sparking devices as that phrase is defined under APA standard 87-1, 3.3, 3.1.1.1 to 3.1.1.8 and 3.5

(4) *Novelties* means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

a. Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 or a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.

b. Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (a) are use, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

c. Flitter sparklers in paper tubes no exceeding one-eighth-inch in diameter.

(b) *Prohibition on use of consumer fireworks:* A person shall not ignite, discharge or use consumer fireworks within the township on any day of the year, except for the following days after 11:00 a.m.

(1) December 31 until 1 a.m. on January 1.

(2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(3) June 29 to July 4 until 11:45 p.m. on each of those days.

(4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

***Violation – Civil Infraction***

Violation of this ordinance constitutes a municipal civil infraction with a civil fine of \$1,000 for each violation and no other fine or sanction. The local law enforcement agency responsible for enforcement of this ordinance shall be entitled \$500 of the civil fine collected from violations.

***Severability***

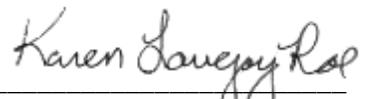
Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or enforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

***Effective Date and Repeal of Conflicting Ordinances***

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect after publication in a newspaper of general circulation as required by law.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2019-485 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on March 5, 2019. The second reading is scheduled to be heard on April 2, 2019.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti