

Charter Township of Ypsilanti

RESOLUTION 2019-07 (In Reference to Ordinance 2019-485)

Amending the Township Code of Ordinances, Chapter 42 Section 210, Regulating the Days and Hours Fireworks May Be Used

Whereas, in 2013, the Michigan Legislature enacted a law which permitted the use of consumer fireworks during specified National Holidays, including the day before and the day after the specified National Holiday: and ;

Whereas, under the State law adopted in 2013 the specified National Holidays were: New Year's Day (January 1); Martin Luther King Jr's Birthday (the third Monday in January); Washington's Birthday (the third Monday in February); Memorial Day (the last Monday in May); Independence day (July 4); Labor Day (the first Monday in September); Columbus Day (the second Monday in October); Veterans Day (November 11); Thanksgiving Day (the fourth Thursday in November); and Christmas Day (December 25).

Whereas, the 2013 State law **expressly** prohibited local municipalities from adopting ordinances regulating the use of fireworks during the National Holidays specified in the law (including the day before and the day after the National Holidays);

Whereas, the Michigan Legislature, on December 28, 2018, in response to citizen complaints regarding the use of fireworks during the 30 days identified as National Holidays, without any local control over the hours or days, adopted Public Act 634 of 2018;

Whereas, under Public Act 634, the Township has the right to prohibit the use of fireworks on any day of the year **except** for the following days of the year: December 31 until 1:00 am on January 1; and the Saturday and Sunday immediately preceding Memorial Day until 11:45 PM on each day; June 29 to July 4 until 11:45 pm on each of those days; July 5 if that date is a Friday or Saturday until 11:45 pm; and the Saturday and Sunday immediately preceding Labor day until 11:45 pm on each day.

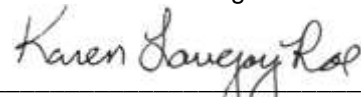
Whereas, under Public Act 634, the Township also has the right to prohibit fireworks **before** 11:00 am; and

Whereas, the Township Board has received numerous complaints from residents concerning the disturbances caused to their families, persons suffering from PTSD, and pets when fireworks are ignited late at night and into the early morning during the 30 National holidays identified in the 2013 State Law; and

Whereas, the Township Board believes that adoption of Ordinance 2019-485 restricting fireworks during specified days and times, permitted under Public Act 634, is in the best interest of the Township and its residents,

Now Therefore, Be it resolved, that Ordinance No. 2019- 485 is hereby adopted by reference.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2019-07 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on April 2, 2019.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

