

VILLAGE OF HOPKINS

ORDINANCE NO. 65 FIREWORKS ORDINANCE

An ordinance regulating the ignition, discharge, and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act, PA 256, as amended in 2018, in order to secure the overall health, safety, and welfare of the Village.

THE VILLAGE OF HOPKINS ORDAINS:

Section 1. Purpose

The purpose of this ordinance is to prohibit the ignition, discharge, and use of consumer fireworks in order to secure the overall health, safety, and welfare of the Village.

Section 2. Title

This ordinance shall be known as the "Village of Hopkins Consumer Fireworks Ordinance."

Section 3. Definitions The terms used within this ordinance shall have the following meanings:

- (1) "Act 256" means the Michigan Fireworks Safety Act, Act 256 of the Public Acts of Michigan of 2018, being MCL 28.451, et seq., as it may be amended from time to time.
- (2) "Consumer fireworks" means that term as defined in Act 256.
- (3) "Firework" or "fireworks" means that term as defined in Act 256.
- (4) "Retailer" means that term as defined in Act 256.
- (5) "Wholesaler" means that term as defined in Act 256.

Section 4. Compliance with Applicable Ordinances and Codes

A retailer or wholesaler of fireworks located within the Village must comply with the requirements of the Village's Zoning Ordinance, as well as all building codes and regulations.

Section 5. Regulations upon the Use of Consumer Fireworks

No person shall ignite, discharge or use consumer fireworks in the Village; except this prohibition shall not preclude any person from igniting, discharging or using consumer

fireworks within the Village on the day preceding, the day of, or the day after a national holiday, consistent with Act 256, as amended in 2018. These days allowed by law are restricted to:

- Dec. 31 to 1 a.m. on Jan. 1
- The Saturday and Sunday before Memorial Day until 11:45 p.m.
- June 29 - July 4 until 11:45 p.m.
- Also, July 5 ONLY if that day is a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday before Labor Day until 11:45 p.m.

Section 6. Firework Safety

No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

Section 7. Violations, Fines and Penalties

- As provided bylaw, a civil fine of \$1,000.00 for each violation of the ordinance will be levied, with the fine given to the law enforcement agency enforcing the ordinance.

Section 8. Severability

The various parts, sentences, paragraphs, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause of this ordinance is declared to be unconstitutional or invalid by a court or administrative agency of competent jurisdiction, the remainder of the ordinance shall remain intact.

Section 9. Repeal of Conflicting Ordinances

All ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 10. Effective Date

This ordinance shall become effective upon its date of publication.

The undersigned President and Clerk of the Village of Hopkins hereby certify that this Ordinance was adopted at a Regular Meeting of the Hopkins Village Council held on



Mike Alberda
Village Clerk



Mary Howard
Village President

DATE: July 8th 2019

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