

# Village of Merrill

## Merrill Planning Commission

16 October 2013

Amendment to Section 22-82 Fireworks of the Code of Ordinances as reads:

**Section 22-82. Fireworks.** No person shall fire, discharge, display or possess any fireworks except of the type and under the conditions permitted by chapter 39 of the Michigan Penal Code (MCL 750.243a et seq.), or make, fire or possess any rocket propelled by any material having explosive properties, except by or under the supervision of a duly qualified adult. (Comp. Ords. 1981, & 111492(5))

Definitions:

**Consumer Fireworks:** Fireworks devices that are designed to leave the ground and produce a visual or audio effect. (Example: Roman Candles, Bottle Rockets, Sky Rockets, Aerial Shell Kits, etc. For Specifics reference they are listed in 16 CFR parts 1500 and 1507 of the United States Consumer Product Safety Commission and in the American Pyrotechnics Association (APA) Standard 87.1, 3.1.2, 3.1.3 or 3.5).

**Low Impact Fireworks:** Firework devices that are grounded or handheld pyrotechnic devices that produce a visual or audio effect. (Example: Sparklers, cylindrical fountains, ground spinners, etc. For specific references they are listed in the American Pyrotechnics Association (APA) Standard 87.1, 3.1.1.1 to 3.1.1.8 and 3.5).

Amendment to Section 22-82 Fireworks of the Code of Ordinances shall read:

**(1) Low impact fireworks**

- a. An individual under the age of 18 shall not use low impact fireworks unless under the direct supervision of an adult.
- b. The igniting, using and discharging of low impact fireworks on Public property is prohibited.
- c. The discharge of low impact fireworks shall be on private property that has expressly been given the permission to ignite, use and discharge low impact fireworks.
- d. Low impact fireworks are permitted year round except between the hours of 1:00 AM and 9:00 AM

**(2) Consumer Fireworks**

- a. An individual or organization may not ignite, use or discharge consumer fireworks within the village limits of Merrill except the day before, the day of, and the day after any Federal Holiday.
  - i. For Public or Private special events an application in writing to ignite, use or discharge consumer fireworks may be granted permission by the Village of Merrill's Zoning Administrator or his/her designee.
- b. An individual under the age of 18 shall not use Consumers fireworks unless under the direct supervision of an adult.
- c. The discharge of Consumers fireworks can be on private or public property that has expressly been given the permission to ignite, use and discharge Consumers fireworks.
- d. Consumer fireworks are permitted on the day before, the day of and the day after all national holidays except between the hours of 1:00 AM and 8:00 AM.
- e. Individuals or organizations in violation of this ordinance shall be imposed a civil fine of not more than \$500.00 for each violation.

## NOTICE

At a regular meeting of the Merrill Village Council held on May 12, 2014, a public hearing was held for Village Ordinance 22-82 regulating fireworks. Motion was presented by B. Playford supported by D. Wenzel to adopt Fireworks Ordinance. Motion carried