

ORDINANCE NO. 80-710

AN EMERGENCY ORDINANCE AMENDING SECTIONS 13-18 AND 13-26 OF  
CHAPTER 13 OF THE CODE OF ORDINANCES OF THE CITY OF WARREN  
RELATING TO LOCAL FIREWORKS SAFETY STANDARDS

THE CITY OF WARREN ORDAINS:

**SECTION 1.** Section 13-18 of Chapter 13 of the City of Warren Code of Ordinances

which presently reads:

Section 13-18. Prohibited Fireworks.

- (a) Consumer Fireworks.  
A person shall not use, ignite, or discharge consumer fireworks within the geographical boundaries of the City of Warren, except on the day of, the day preceding or the day after a national holiday, provided that on such days, a person shall not discharge consumer fireworks in violation of the Act, this article, or any other ordinance.
- (b) Low Impact.  
Low Impact Fireworks may not be discharged during the hours of 10:30 p.m. and 11 a.m., and may not otherwise be discharged in violation of this article or the Act, or any other ordinance.
- (c) Illegal Fireworks.  
Any use, possession or discharge of any fireworks that is prohibited and/or not approved by the State of Michigan or the State Fire Marshal, or that which contains a prohibited chemical, component, compound or composition under the APA 87-1 Standard, or any federal or state law or regulation, is prohibited at all times and places, regardless of how it is labeled.

shall be amended to read:

Section 13-18. Prohibited Fireworks.

- (a) Consumer Fireworks.  
Consumer fireworks shall not be used, ignited or discharged within the City of Warren, except on the day of, the day preceding or the day after a national holiday, provided that on such days, consumer fireworks shall not be used, ignited or discharged during the hours prohibited in subsection 13-18 (b) below or otherwise in violation of the Act, this article or any other ordinance.

- (b) On the day of, day preceding and day after National Holidays, the use, ignition or discharge of consumer fireworks is prohibited between the hours of 12 Midnight and 8 a.m., or between the hours of 1 a.m. and 8 a.m. on New Year's Day.
- (c) Low Impact Fireworks.  
Low Impact Fireworks may not be discharged during the hours of 10:30 p.m. and 11 a.m., and may not otherwise be discharged in violation of this article or the Act, or any other ordinance.
- (d) Illegal Fireworks.  
Any use, possession or discharge of any fireworks that is prohibited and/or not approved by the State of Michigan or the State Fire Marshal, or that which contains a prohibited chemical, component, compound or composition under the APA 87-1 Standard, or any federal or state law or regulation, is prohibited at all times and places, regardless of how it is labeled.

**SECTION 2.** Section 13-26 of Chapter 13 of the Code of Ordinances which presently reads:

Section 13-26. Penalties.

- (a) Except as otherwise provided, a violation of this article is a misdemeanor and a person responsible may be ordered to pay a fine up to \$500, and/or subject to up to 90 days in jail, plus costs.
- (b) Except as otherwise provided, for any violation of this article that is a municipal civil infraction, a person responsible may be ordered to pay a civil fine \$200 for each violation.
- (c) Any penalty for a violation of the Act shall be subject to the penalty imposed under the Act.

shall be amended to read as follows:

Section 13-26. Penalties.

- (a) Except as otherwise provided, a violation of this article is a municipal civil infraction subject to a fine of up to \$500 for each violation.
- (b) Any penalty for a violation of this article that is prescribed by the Act or another law or ordinance may be subject to the penalty imposed under the Act or under such other law or ordinance.

**SECTION 3.** This Ordinance is declared an emergency and shall be effective upon publication.

I CERTIFY that the foregoing Ordinance No. 80-710 was adopted by the Council for the City of Warren at its meeting held on June 25, 2013.

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PAUL WOJNO  
City Clerk

Published: June 29, 2013.