

ORDINANCE NO.80-733

AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES TO ADD A DIVISION PROHIBITING FLAMETHROWERS.

THE CITY OF WARREN ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Warren, Michigan, is hereby amended by adding Division 8 to Chapter 13, Article II

WHICH SHALL READ AS FOLLOWS:

DIVISION 8. – FLAMETHROWERS

Sec. 13-90. – Purpose.

It is the purpose of this Division to promote the health, safety, and general welfare of the citizens of the City by prohibiting assembly, storage, possession, and use of flamethrowers. Flamethrowers pose a significant risk of starting fires, damaging property, and/or causing physical injury. Flamethrowers also may disrupt the peace and quiet of residential neighborhoods. Flamethrowers are especially dangerous given the City's high population density in residential neighborhoods.

Sec. 13-91. – Definition.

As used in this Section:

Flamethrower. Any handheld device capable of emitting a burning stream of combustible or flammable liquid or gas a distance of more than three feet. Blow torches or other devices that are only capable of emitting a flame three feet or less are not flamethrowers.

Sec. 13-92. – General Prohibition.

Except as listed in Section 13-93, a person is prohibited from assembling, storing, possessing, or using a flamethrower in the City of Warren.

Sec. 13-93. – Exception.

The general prohibition on assembling, storing, possessing, or using a flamethrower in the City of Warren does not apply to:

- (a) An officer, employee, or member of the armed forces, law enforcement, fire department, federal, state, or local government who is both:
 - (1) on duty; and
 - (2) acting within the scope of his or her employment.

Sec. 13-94. Enforcement and Penalty.

- (a) A person who violates this Division is guilty of a misdemeanor punishable by incarceration for not more than ninety (90) days, a fine of not more than five hundred dollars (\$500.00), or both.
- (b) The Police or Fire Departments may seize any flamethrower that is stored, possessed, or used in violation of this Division.

Sec. 13-95 – 13-100. Reserved.

Cross-references – International Fire Code, Chapter 3, Section 308, Open Flames; MCL 600.4702.

SECTION 2. This Ordinance shall take effect on September 28, 2015.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-733 was adopted by the Council of the City of Warren at its meeting held on September 8, 2015.

PAUL WOJNO
City Clerk

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