ORDINANCE NO. 2007-07-24

AN ORDINANCE TO REGULATE THE USE OF CONSUMER FIREWORKS

WHEREAS, Unrestricted use of consumer fireworks, as defined by Indiana Code, constitutes a danger to the public health, safety and welfare; and,

WHEREAS, Unrestricted use of consumer fireworks may cause injuries to members of the public; and,

WHEREAS, Unrestricted use of consumer fireworks disturbs the peaceable use and enjoyment of property by Crown Point residents; and,

WHEREAS, The City of Crown Point desires to limit and regulate the use of consumer fireworks within its corporate limits; and,

WHEREAS, The Mayor of the City of Crown Point has proclaimed the immediate effectiveness of this ordinance to be an urgent necessity pursuant to I.C. 36-4-6-14(b)(2);

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Crown Point that consumer fireworks shall be regulated as follows:

Section 1. Regulation of Consumer Fireworks

a. Definition - "Consumer fireworks"

For purposes of this Ordinance consumer fireworks shall mean consumer fireworks as defined by Indiana Code Section 22-11-14-1.

b. Days and Hours of Use

1. Consumer fireworks may not be used, ignited or discharged within the corporate limits of the City of Crown Point except during the following times;

A. Between the hours of 5:00 p.m. and two hours after sunset on June 29, 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8 and July 9;

B. Between the hours of 10:00 a.m. and twelve midnight on July 4; and,

C. Between the hours of 10:00 a.m. on December 31st and 1:00 a.m. on January 1st.

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c. The use, ignition or discharge of consumer fireworks other than during the above time periods shall constitute an infraction and shall be subject to a fine of not less than $100.00. And not more than $2,500.00.

Section 2. This ordinance shall be in full force and effect upon its passage and adoption and all other ordinances or resolutions in conflict therewith are hereby amended by reference.

Section 3. An emergency is declared requiring the immediate effectiveness of this Ordinance. It shall be effective immediately following posting in accordance with Indiana Code 36-4-6-14.

PASSED and ADOPTED the 2nd day of July, 2007.

DANIEL M. KLEIN, Presiding Officer

ATTEST:

PATTI OLSON, Clerk/Treasurer

Presented by me to Daniel M. Klein, Mayor of the City of Crown Point, Indiana, this 2nd day of July, 2007.

Patti Olson, Clerk/Treasurer

Approved, signed and returned by me to the Common Council of the City of Crown Point, Indiana this 2nd day of July, 2007.

Daniel M. Klein, Mayor