

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

ORDINANCE C-22

An Ordinance opting out of H.B. 172 and reaffirming the ban on discharging, igniting, or exploding consumer grade 1.4G fireworks in the City of Orrville, except as set forth herein.

WHEREAS, the Governor recently signed H.B. 172, amending Ohio Revised Code §3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade 1.4G fireworks to discharge, ignite or explode consumer grade 1.4G fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and

WHEREAS, H.B. 172 also provides that pursuant to Home Rule authority, a municipal corporation may choose to restrict the dates and times that a person may discharge, ignite, or explode consumer grade 1.4G fireworks or may impose a complete ban on the use of consumer grade 1.4G fireworks; and

WHEREAS, this Council finds that continuing the ban on the discharge of consumer grade 1.4G fireworks, as set forth in Chapter 565 of the Codified Ordinances, will best protect the public's right to the quiet enjoyment of their premises, **except for** the limited period of time of the third, fourth and fifth days of July as well as the first Friday, Saturday and Sunday before and after the fourth day of July between the hours of 8:00 a.m. and 12:00 a.m. (Midnight), but not otherwise; and

WHEREAS, Council met with and received input from City fire and police departments in considering its response to H.B. 172; and

WHEREAS, the Administration and Council of the City of Orrville find that it is in the best interests of the public to continue to ban the discharge, ignition, and explosion of consumer grade 1.4G fireworks otherwise permitted in H.B. 172, as set forth in existing Chapter 565 of the Codified Ordinances of the City of Orrville, except as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Orrville, State of Ohio:

Section 1. That the Council of the City of Orrville expressly opts-out of the provisions set forth in H.B. 172, and reaffirms the ban on discharging, igniting or exploding consumer grade 1.4G fireworks as set forth in Chapter 565 of the Codified Ordinances of the City of Orrville, and amends Chapter 565 to permit the discharge, igniting and exploding of consumer grade 1.4G fireworks on the third, fourth and fifth days of July as well as the first Friday, Saturday and Sunday before and after the fourth day of July between the hours of 8:00 a.m. and 12:00 a.m. (Midnight), but not otherwise.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 15 day of May, 2022.

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Paul Vam

President of Council

Attest:

Jeanne Gault

Clerk of Council

Approved:

David S. Harkness

Mayor, City of Orrville

5/16/22

Date