

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

ORDINANCE G-23

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, and repealing and replacing Ordinance C-22.

WHEREAS, Ohio Revised Code §3743.45, effective July 1, 2022, allows 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, 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, with input from City fire and police departments, enacted Ordinance C-22, setting forth certain dates and times for the discharge of fireworks; and

WHEREAS, subsequent legislation from the State Fire Marshall was enacted in OAC §1301:7-7-56(Z)(5)(b)(5626.5.2) setting forth times that are inconsistent with Ordinance C-22.

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 ORC §3743.45, 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 except as provided herein., Council hereby 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 4 p.m. and 11 p.m., 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 5th day of September, 2023.

Paul Van
President of Council

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Attest:

Janne Gauert
Clerk of Council

Approved:

David J. Handman
Mayor, City of Orrville

9/5/23
Date