

## Cedar County Ordinance No. 60

### **PROHIBITION OF FIREWORKS ON COUNTY-OWNED PROPERTY IN CEDAR COUNTY, IOWA.**

SECTION ONE PURPOSE. Pursuant to Iowa Code § 331.301(17), the purpose of this Chapter is to ensure the safety of Cedar County citizens, mitigate the risk of fire damage to Cedar County county-owned property, and prevent nuisance to neighboring landowners following the passage of Iowa Senate File 489 (2017).

SECTION TWO – DEFINITIONS: Consumer Fireworks: includes first-class consumer 2 fireworks and second-class consumer fireworks as those terms are defined in section 100.19, subsection 1. “Consumer fireworks” does not include novelties enumerated in chapter 3 of the American pyrotechnics association’s standard 87-1 or display fireworks enumerated in chapter 4 of the American pyrotechnics association’s standard 87-1.

Display Fireworks: includes any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance. “Display fireworks” does not include novelties or consumer fireworks enumerated in chapter 3 of the American pyrotechnics association’s standard 87-1.

Novelties: includes all novelties enumerated in Chapter 3 of the American pyrotechnics association’s standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission.

SECTION THREE – PROHIBITIONS: A person shall not use, ignite, or explode Consumer Fireworks, Display Fireworks, or Novelties on any real property owned by or held in the name of Cedar County, Iowa.

SECTION FOUR – PENALTY: A person who violates this ordinance commits a simple misdemeanor, punishable by a fine of not less than \$250.00, plus surcharges, court costs, and county enforcement fees.

SECTION FIVE – EFFECTIVE DATE: This ordinance shall take effect immediately upon its final passage by the Board of Supervisors and posting.

SECTION SIX – SAVINGS CLAUSE: If any section, provision, or part of this Ordinance shall be adjudged invalid, illegal, or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid, illegal, or unconstitutional.

Passed and approved this 27<sup>TH</sup> day of June, 2017.