

**ORDINANCE NO. 606**

**SECTION 5 – PUBLIC EMERGENCY  
AN ORDINANCE TO AMEND THE CITY CODE BY REPLACING  
SECTION 135.02 FIREWORKS**

**THE CITY OF ST. JOHNS ORDAINS:**

Section 1. 135.02 of the City Code of the City of St. Johns St. Johns is hereby replaced by the following, to read in its entirety as follows:

**135.02 Fireworks**

No person shall:

- (a) Discharge, offer for sale, or possess any fireworks except the type and under the conditions permitted by the *Michigan Fireworks Safety Act* (MCL 28.451 *et seq.*);
- (b) Ignite, discharge, or use consumer fireworks as defined in the *Michigan Fireworks Safety Act* (MCL 28,451 *et seq.*):
  - i. on a day other than the day preceding, the day of, or the day after a national holiday;
  - ii. on public or school property, without the express permission of the City or a permit from the City granting such permission to do so; or
  - iii. on church property of the property of another, without express permission from the property owner;
- (c) Fireworks shall not be sold to a minor. No person under the age of 18 years shall use, possess, explode or cause to explode any consumer fireworks, as defined herein, within the city.
- (d) Ignite, discharge, or use consumer fireworks, or low-impact fireworks, as defined in the *Michigan Fireworks Safety Act* (MCL 28.451 *et seq.*), while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance as the terms are defined in the *Michigan Motor Vehicle Code* (MCL 257.1 *et seq.*).
- (e) If a police officer determines that a violation of this ordinance has occurred, the officer may seize the consumer fireworks as evidence of the violation.

A person guilty of a violation of this section is responsible for a civil infraction punishable by a fine of not more than \$500.00.

Section 2. This ordinance shall become effective immediately by way of Section 5 of the City Charter – Public Emergency with regards to the health, safety and welfare of the community.

Section 3. This ordinance shall be published pursuant to state law.


The above Ordinance was moved by Commissioner Hanover and supported by Commissioner Hudgens at a regularly scheduled meeting on June 25, 2012.


YEAS: Commissioners Beaman, Hanover, Jackson, Nobach, Hudgens

NAYS: None

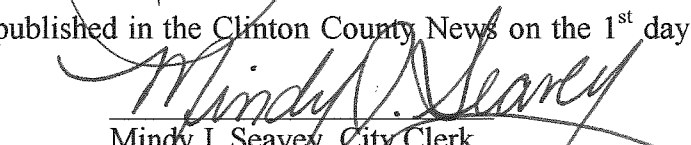
ABSENT: None

THE ORDINANCE WAS DECLARED ADOPTED.

  
Dana C. Beaman  
Dana C. Beaman, Mayor

  
Mindy J. Seavey  
Mindy J. Seavey, City Clerk

I hereby certify the above Ordinance was published in the Clinton County News on the 1<sup>st</sup> day of July, 2012.

  
Mindy J. Seavey  
Mindy J. Seavey, City Clerk