



**Roll Call Number**

**Agenda Item Number**

53

**Date** June 11, 2018

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 46-213 and 46-215, relating to the sale of Consumer Fireworks and permits required",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 46-213 and 46-215, relating to the sale of Consumer Fireworks and permits required.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Sections 46-213 and 46-215 relating to the sale of Consumer Fireworks and permits required, as follows:

**Sec. 46-213. Sale of Consumer Fireworks.**

- (a) It shall be unlawful for a person to offer for sale, expose for sale, or sell at retail Consumer Fireworks, unless a person is a retailer or community group as defined in Iowa Code Chapter 100 and possesses and complies with all requirements of a Consumer Fireworks seller license issued by the state fire marshal. Consumer Fireworks may only be sold during the dates and times as allowed under Iowa Code Chapter 100 and in zoning districts permitted by this code.
- (b) It shall be unlawful for a person to sell Consumer Fireworks to a person less than 18 years of age and it shall be unlawful for a person who is less than 18 years of age to purchase Consumer Fireworks.
- (c) The following information must be stated in an easily readable type size and prominently posted at the place of payment at each location selling Consumer Fireworks:
  - (1) ~~The restrictions on use of Consumer Fireworks described in Section 46-214; The use or explosion of Consumer Fireworks within the city limits is prohibited; and~~
  - (2) ~~A statement that a violation of section 46-214 46-212(d) prohibiting the use or explosion of Consumer Fireworks within the city limits constitutes a simple misdemeanor, punishable by a fine of \$625.00.~~

**Sec. 46-215. Permits required.**

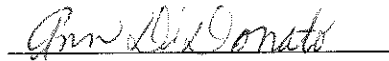
- (a) For the purpose of this article, a permit shall be obtained to:
  - (1) Use or explode Display Fireworks, except for Display Fireworks at the Iowa State Fairgrounds by the Iowa State Fair Board.
  - (2) Compound, store or use pyrotechnic special effects material.
  - (3) Conduct a display involving fire, open flames or flammable material other than Fireworks or pyrotechnic special effects material.

(b) ~~A permit is not required to use or explode Consumer Fireworks.~~

(c) Application for a permit required by this article shall be made in writing to the fire prevention bureau at least 14 days in advance of the display, use storage, or compounding.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Ann DiDonato  
Assistant City Attorney