



Roll Call Number

17-0895

Agenda Item Number

50B

Date May 22, 2017

RESOLUTION LIMITING USE OF CONSUMER FIREWORKS AND ALLOWING USE OF DISPLAY FIREWORKS BY PERMIT

WHEREAS, Senate File 489 allows the use of consumer and display fireworks, as defined in Senate File 489, unless a city council passes an ordinance or resolution to prohibit or limit the use of such fireworks by resolution or ordinance; and

WHEREAS, Chapter 46 of the Municipal Code of the City of Des Moines prohibits the use of consumer fireworks within the corporate limits of the City and allows the use of display fireworks pursuant to requirements in Chapter 46, including a permit issued by the Fire Department; and

WHEREAS, the City Council desires to limit the use of consumer fireworks to the day of July 4th during the hours of 4PM-10PM, and to allow the use of display fireworks pursuant to a permit issued by the Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the use of consumer fireworks shall be allowed during the day of July 4th during the hours of 4PM-10PM.

BE IT FURTHER RESOLVED that the use of display fireworks shall be allowed pursuant to the requirements of Chapter 46 of the Municipal Code of the City of Des Moines.

BE IT FURTHER RESOLVED that City staff is directed to take all necessary action to bring forth amendments to the Des Moines Municipal Code, including amendments to the Zoning Code, to put the above described changes into effect.

Moved by Gatto to approve the use of fireworks on July 4th during the hours of 4PM to 10PM on your own property by someone 18 years of age or older, under the legal limit of alcohol, at least 200 yards away

APPROVED AS TO FORM: from any hospital or senior living facility, not at any parks or cemeteries; a \$625 fine for violation of these restrictions; these restrictions will be posted at all sales locations.

Ann DiDonato

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE		✓		
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY		✓		
MOORE	✓			
WESTERGAARD		✓		
TOTAL	4	3		

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk