

Fireworks Ordinance

Chuck Jenkins

April 4, 2017
Workshop



BACKGROUND

- Glendale City Code prohibits the use of most consumer fireworks, within Glendale City limits, 365 days a year.
- Under state law, cities may not prohibit the use of permissible consumer fireworks 365 days a year.
- Cities may prohibit the use of permissible consumer fireworks, but only on days other than:
 - June 24 through July 6; and
 - December 24 through January 3, of each year.



A.R.S § 36 -1606 Consumer fireworks regulation; state preemption; further regulation of fireworks by local jurisdiction

A. The sale and use of permissible consumer fireworks are of statewide concern. **The regulation of permissible consumer fireworks pursuant to this article and their sale or use is not subject to further regulation by a governing body, except as follows:**

1. In a county with a population of more than 500,000 persons, a city or town within its corporate limits or the county within the unincorporated areas of the county may do all of the following:
 - a. Regulate, consistent with the standards set forth in NFPA 1124, the sale of permissible consumer fireworks within its corporate limits.
 - b. Prohibit the sale of permissible consumer fireworks on days other than May 20 through July 6 and December 10 through January 3 of each year.
 - c. **Prohibit the use of permissible consumer fireworks on days other than June 24 through July 6 and December 24 through January 3 of each year.**



Glendale City Code (GCC) Sec. 26-70.3.

Fireworks prohibited; exceptions.

- (a) The use of fireworks of any kind within the city is prohibited.**
- (b) Nothing in this section or division shall be construed to prohibit the use of novelty items or the carrying out of a supervised show or possession of display fireworks authorized by city permit.



RECOMMENDATION

- Propose an ordinance to amend GCC Sec. 26-70.3, to be compliant with A.R.S. § 36-1606.
- City Council should consider a proposed amendment at Council Voting Meeting on May 9, 2017, to be in compliance before the June 24, 2017 date, referred to in the state statute.



PROPOSED ORDINANCE

GCC Sec. 26-70.3 to read:

- (a) The use of permissible consumer fireworks within the city is prohibited except on days other than June 24 through July 6 and December 24 through January 3 of each year.
- (b) Nothing in this section or division shall be construed to prohibit the use of novelty items or the carrying out of a supervised show or possession of display fireworks authorized by city permit or state law.
- (c) No person shall sell, possess, authorize or manufacture consumer or display fireworks unless authorized by state law or city permit.



QUESTIONS

Chuck Jenkins

Fire Chief

