

**ORDINANCE NO. 8518**

**AN ORDINANCE AMENDING CHAPTER 12, ARTICLE IV, SECTION 12-52.1, OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MARSHALL, MISSOURI, REGARDING THE USE OF CONSUMER FIREWORKS.**

**WHEREAS**, Chapter 12, Article IV, of the Municipal Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to storage and use of fireworks; and

**WHEREAS**, the Council of the City of Marshall desires to amend those provisions regarding the use of consumer fireworks by the citizens of Marshall.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Marshall, Missouri, as follows:

**SECTION 1.** Chapter 12, Article IV, Section 12-52.1 of the Municipal Code of Ordinances of the City of Marshall, Missouri is hereby amended by deleting the current language and replacing it with the following:

On July 4 of each year, from 10:00 a.m. to 11:00 p.m. and on December 31 of each year, from 10:00 a.m. to January 1 at 12:30 a.m., subject to the limitations contained herein, it shall be lawful for any person to use and discharge Consumer Fireworks. As used herein, the term “Consumer Fireworks” means any explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, within 49 C.F.R. Part 172. The following uses of Consumer Fireworks shall be prohibited:

- (a) It shall be unlawful for any person to discharge or possess any fireworks upon public land or in any public park, owned by the City, provided, however, that nothing in this ordinance shall be deemed to limit the authority of the City to allow an event display of display fireworks;
- (b) It shall be unlawful to ignite, explode, or discharge Consumer Fireworks within six hundred feet (600’) of any church, hospital, mental health facility, or school;
- (c) It shall be unlawful to ignite, explode, or discharge Consumer Fireworks within three hundred feet (300’) of any permanent storage of ignitable liquid, gases, gasoline pump, and gasoline filling station; and
- (d) It shall be unlawful to ignite, explode, or discharge within or throw the same from or into a motorized vehicle including watercraft or any other means of transportation or at or near any person or group of people.

**SECTION 2.** In all other respects, the Code of Ordinances of the City of Marshall, Missouri shall remain unchanged.

**SECTION 3.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** by the Council of the City of Marshall, Missouri, this 16<sup>th</sup> day of December, 2019.

/s/ Julie M. Schwetz  
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President

**APPROVED** by the Mayor this 16<sup>th</sup> day of December, 2019.

/s/ Julie M. Schwetz  
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Mayor

**FILED** this 16<sup>th</sup> day of December, 2019.

/s/ Julie A. Lewis  
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City Clerk