

AN ORDINANCE AMENDING CHAPTER 41 OF THE CODE OF ORDINANCES OF THE CITY OF ELLSWORTH REGARDING FIREWORKS REGULATION.

WHEREAS, the Iowa General Assembly passed Senate File 489 which allows for the sale and use of certain fireworks within the State of Iowa on certain dates; and

WHEREAS, SF489 also allowed local governments to further restrict the use and time that fireworks may be discharged within city limits; and

WHEREAS, the City desires to continue to prohibit the use of consumer fireworks within the City; and

WHEREAS, to comply with state law, the City desires to pass certain rules regulating the sale of fireworks within the city which are consistent with state law.

NOW, THEREFORE, BE IT ORDAINED, as follows:

1. Amendment. Chapter 41 of the Code of Ordinances is adding and incorporating a Section 41.12 entitled "Fireworks Regulation," which shall read as follows:

***"SECTION 40.12. FIREWORKS REGULATION.***

*The use or exploding of Consumer Fireworks, as defined by the Code of Iowa, is hereby prohibited within the corporate limits of the City, except on the following days and times:*

*July 4<sup>th</sup>: "10:00 a.m. through 11 p.m."*

2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

3. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

4. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved on this 14<sup>th</sup> day of September 2020.

\_\_\_\_\_

Gregory S. Campbell, Mayor

ATTEST: \_\_\_\_\_

Amy L. Zeman, City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_

Amy L. Zeman, City Clerk