

**RESOLUTION  
CITY OF BAY ST. LOUIS, MISSISSIPPI**

**A RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL TO AMEND  
THE CITY'S FIREWORKS ORDINANCE TO ESTABLISH LIMITED SEASONAL  
PERIODS FOR THE SALE AND USE OF FIREWORKS AND TO ALIGN  
PERMISSIBLE HOURS OF USE WITH THE CITY'S NOISE ORDINANCE, SUBJECT  
TO SPECIFIED HOLIDAY EXTENSIONS**

WHEREAS, the City of Bay St. Louis is authorized to preserve and protect the public health, safety, and welfare of its residents and visitors; and

WHEREAS, Mississippi law provides that the governing body of a municipality may regulate or prohibit the possession, sale, and use of fireworks within its municipal limits;

WHEREAS, the City Council finds that fireworks may be enjoyed in a manner that balances holiday traditions with the protection of residential quiet, public safety, and quality of life; and

WHEREAS, the City Council desires to limit the retail sale of fireworks within the City to defined holiday periods and to permit the use of fireworks only during defined holiday periods, subject to the City's existing noise ordinance except for limited holiday-night extensions; and

WHEREAS, the City Council further finds that a clarifying amendment to the City's existing fireworks ordinance is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AS FOLLOWS:

**SECTION 1.** The City Council declares its intent to amend the City's fireworks ordinance, presently codified at Article III of the Code of Ordinances of the City of Bay St. Louis, Mississippi, to establish the following rules:

- (a) Retail sale of consumer fireworks shall be permitted only from December 25 through January 2 and from June 27 through July 5.
- (b) Use of consumer fireworks shall be permitted only during those same date ranges, subject to the City's generally applicable noise ordinance.
- (c) On New Year's Eve, the permissible time for use of fireworks may extend until 12:30 a.m. on January 1.
- (d) On July 4, the permissible time for use of fireworks may extend until 12:00 midnight.

**SECTION 2.** The City Council directs the City Attorney and Deputy City Clerk to prepare, place on the agenda, and process an ordinance consistent with this Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon adoption.

After being reduced to writing, the foregoing Resolution was read and considered, section by section, and then as a whole, whereupon Council Member \_\_\_\_\_ moved for its adoption, and after a second by Council Member \_\_\_\_\_, the following roll call vote was had:

Council Member Jordan Bradford	YEA/NAY
Council Member Nancy Moynan	YEA/NAY
Council Member Phalba Holmes	YEA/NAY
Council Member Kyle Lewis	YEA/NAY
Council Member Linda Kay Davis	YEA/NAY
Council Member Josh DeSalvo	YEA/NAY
Council Member Larry Smith	YEA/NAY

Passed by the City Council of the City of Bay Saint Louis on the \_\_\_\_ day of \_\_\_\_\_ 2025.

#### CERTIFICATION

I, Caitlin Bourgeois, Deputy Municipal City Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Resolution was approved and adopted in the public meeting of the City Council held on \_\_\_\_\_, 2025, a quorum being present, in the City Council Conference Chambers, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis, Mississippi.

Presented by me to the Mayor on this, the \_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Caitlin Bourgeois, Deputy City Clerk

Approved/Disapproved, and signed by me on this, the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Michael J. Favre, Mayor

**ORDINANCE NO. 680-05-2026**

**CITY OF BAY ST. LOUIS, MISSISSIPPI**

**AN ORDINANCE AMENDING THE CITY OF BAY ST. LOUIS FIREWORKS ORDINANCE, CODIFIED AS SECTION ARTICLE III OF THE CODE OF ORDINANCES, TO ESTABLISH LIMITED SEASONAL PERIODS FOR THE SALE AND USE OF FIREWORKS, TO REQUIRE SUCH USE TO COMPLY WITH THE CITY'S NOISE ORDINANCE EXCEPT FOR SPECIFIED HOLIDAY EXTENSIONS, AND FOR RELATED PURPOSES**

WHEREAS, Mississippi law provides that municipal governing bodies may regulate or prohibit the possession, sale, and use of fireworks within municipal limits;

WHEREAS, Mississippi's general state fireworks statute sets statewide sales dates, but expressly preserves municipal authority to adopt stricter local rules;

WHEREAS, the City of Bay St. Louis desires to protect the peace, comfort, repose, health, safety, and welfare of its citizens and visitors while allowing limited seasonal use of fireworks; and

WHEREAS, the City of Bay St. Louis has previously adopted a noise ordinance codified in Chapter 22, Article V, Section 22-174, and desires fireworks use to remain subject to that ordinance except for narrow holiday-night extensions as contained herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AS FOLLOWS:

**SECTION 1.** Article III, Section 24-30 of the Code of Ordinances of the City of Bay St. Louis, Mississippi, commonly referred to as the Fireworks Ordinance, is hereby amended to read as follows:

Sec. 24-30

Sale and use of consumer fireworks.

(a) Definitions.

For purposes of this section, the term consumer fireworks shall mean fireworks lawfully permitted under Mississippi law for retail sale to the public, excluding any fireworks display requiring a separate permit or any item prohibited by state or federal law.

(b) Retail sale dates.

The retail sale, offer for sale, or other commercial distribution of consumer fireworks within the city limits shall be permitted only during the following periods:

1. December 25 through January 2, inclusive; and
2. June 27 through July 5, inclusive.

At all other times, the retail sale, offer for sale, or other commercial distribution of consumer fireworks within the city limits is prohibited unless otherwise expressly authorized by applicable law for a permitted public display.

(c) Use dates.

The ignition, discharge, or use of consumer fireworks by the public within the city limits shall be permitted only during the following periods:

1. December 25 through January 2, inclusive; and
2. June 27 through July 5, inclusive.

At all other times, the ignition, discharge, or use of consumer fireworks within the city limits is prohibited, except as part of a lawfully permitted public display.

(d) Hours of use; application of noise ordinance.

Except as specifically provided in subsection (e) below, the use of consumer fireworks shall remain subject to the City's then-current noise ordinance, including all generally applicable time limitations, enforcement provisions, and penalties.

**(e) Holiday extensions.**

Notwithstanding subsection (d), the following limited extensions shall apply:

1. On New Year's Eve, consumer fireworks may be used until 12:30 a.m. on January 1.
2. On July 4, consumer fireworks may be used until 12:00 midnight.

**(f) No waiver of other laws.**

Nothing in this section shall be construed to authorize:

1. The use of fireworks in violation of any state or federal law;
2. The sale or use of fireworks prohibited by state or federal law;
3. Any public fireworks display for which a permit is otherwise required; or
4. The use of fireworks in a reckless manner or in a manner creating a fire hazard, threat to persons or property, or public nuisance.

**(g) Enforcement and penalties.**

Any person violating this section shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided by the general penalty provisions of the City Code, unless a different penalty is specifically provided by applicable law. Each sale, each discharge, and each day of continuing violation may be treated as a separate offense.

**(h) Authority of police and fire officials.**

The Bay St. Louis Police Department, Code Enforcement, and Fire Department are authorized to enforce this section and to order the immediate cessation of any fireworks activity occurring in violation of this section or posing an immediate threat to public safety.”

**SECTION 2.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 3. Severability.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**SECTION 4. Codification.**

It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Bay St. Louis, Mississippi, and that the sections of this ordinance may be renumbered or relettered by the codifier as necessary to accomplish that intent.

**SECTION 5. Effective date.**

This ordinance shall take effect and be in force from and after its passage, publication, and the completion of all requirements of law.

After being reduced to writing, the foregoing Ordinance was read and considered, section by section, and then as a whole, whereupon, Council Member \_\_\_\_\_ moved for its adoption, and after a second by Council Member \_\_\_\_\_, the following roll call vote was had:

After being reduced to writing, the foregoing Ordinance was read and considered, section by section, and then as a whole, whereupon Council Member \_\_\_\_\_ moved for its adoption, and after a second by Council Member \_\_\_\_\_, the following roll call vote was had:

Council Member Jordan Bradford	YEA/NAY
Council Member Nancy Moynan	YEA/NAY
Council Member Phalba Holmes	YEA/NAY
Council Member Kyle Lewis	YEA/NAY
Council Member Linda Kay Davis	YEA/NAY
Council Member Josh DeSalvo	YEA/NAY
Council Member Larry Smith	YEA/NAY

Passed by the City Council of the City of Bay Saint Louis on the \_\_\_\_ day of \_\_\_\_\_ 2025.

CERTIFICATION

I, Caitlin Bourgeois, Deputy Municipal City Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Ordinance was approved and adopted in the public meeting of the City Council held on \_\_\_\_\_, 2025, a quorum being present, in the City Council Conference Chambers, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis, Mississippi.

Presented by me to the Mayor on this, the \_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Caitlin Bourgeois, Deputy City Clerk

Approved/Disapproved, and signed by me on this, the \_\_\_\_\_ day of \_\_\_\_\_  
2025.

\_\_\_\_\_  
Michael J. Favre, Mayor