

APPENDIX A

AN ORDINANCE AMENDING CHAPTER 15 OF TITLE 14 OF THE GREELEY MUNICIPAL CODE RELATING TO FIREWORKS

Section 1: That Chapter 15, Fireworks, of Title 14, Criminal Conduct and Offenses, be amended, including adding thereto a new section, to read as follows:

Sec. 14-481. Manufacture, sale, use or possession of fireworks.

(a) Pursuant to section 5601.1.3 of the International Fire Code, as adopted by the city at section 22-454, the possession, storage, sale, handling and use of fireworks is illegal except as set forth herein.

~~(b)~~ 1 The fire department may adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks and retail sale of fireworks within the city.

~~(1)~~ a. Such permits may be granted upon application to the fire department.

~~(2)~~ b. The department may prescribe reasonable requirements for the issuance of such permits, including, but not limited to, a reasonable fee for such permits, the posting of an appropriate bond, limitation as to the type of fireworks displayed, time and location of such display, requirements concerning the licensure or certification of the operator of the display and disposal of unused fireworks.

~~(c)~~ c. Permits issued by the fire department for a public display of fireworks within the city must be reviewed and approved in writing by the chief of police or designee. No permit issued by the fire department shall be valid in the absence of the written approval thereof by the chief of police or designee.

~~(d)~~ 2 Permissible fireworks may be possessed, stored, sold, handled and used within the city by any individual age 16 years and older.

(3) Permissible fireworks may be possessed and used within the city by an individual under the age of 16 years, if the individual is under adult supervision.

Sec. 14-482. Knowingly provide private property for possession or use of illegal fireworks. No one who owns, rents, leases or controls private property shall knowingly allow any person to possess or use fireworks, except for permissible fireworks as allowed in sec. 14-481, anywhere on said property.

Sec. 14-4823. Penalty.

(a) Any person who violates this chapter commits a misdemeanor ~~infraction~~ offense and shall be fined not less than \$1000, plus any additional penalties assessed pursuant to ~~punished as provided in~~ chapter 9 of title 1 of this Code.

(b) Up to \$500 of the fine on a first violation may be suspended if the guilty party completes a city-sponsored or city-approved fire safety course, within 91 days following sentencing. The guilty party is responsible for any registration fees.

(c) A repeat violation within 365 days from a finding of guilty shall cause the full amount of the fine to be immediately reinstated in full.

Sec. 14-4834. Seizure of illegal fireworks.

(a) Members of the ~~the police or fire department or any city police officer~~ shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale or stored or held in violation of this chapter or of the adopted portions of the International Fire Code.