

# Council Agenda Summary

May 17, 2022

Key Staff Contacts: Brian Kuznik, Fire Chief, 970-350-9501 and Adam Turk, Interim Police Chief, 970-351-5381

## Title:

Introduction and first reading of an Ordinance amending Chapter 15 of Title 14 of the Greeley Municipal Code relating to fireworks

## Summary:

According to C.R.S. § 24-33.5-2002, it is unlawful for any person to possess or discharge any fireworks, other than permissible fireworks, in the State of Colorado. C.R.S. § 24-33.5-2003 gives any governing body the power to adopt reasonable rules and issue permits within its jurisdiction for the retail sale of fireworks. Furthermore, C.R.S. § 24-33.5-2007 explains that municipalities may further regulate and prohibit the sale, use, and possession of fireworks, including permissible fireworks, within the limits of any city.

The volume of illegal fireworks activity in recent years has been significant. The Police Department receives illegal fireworks complaints from residents across the City. Illegal fireworks produce noise complaints, risk of personal injury and property damage and quality of life issues.

The manufacture, sale, use or possession of fireworks is currently a misdemeanor infraction with a penalty of a maximum fine of \$500. This Ordinance amends the violation to a misdemeanor offense, with a fine of \$1000, plus any additional penalties assessed, which could include imprisonment. The Fire Department will offer a fire safety class for persons charged with a fireworks violation. After completion of the fire safety course, the fine will be reduced to \$500.

The Ordinance also adds an additional violation for when someone knowingly provides private property for the possession and use of illegal fireworks. The penalty is the same as outlined above, with the option to reduce the fine after completing a fire safety course.

## Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	

Is this grant onetime or ongoing?	
Additional Comments:	

**Legal Issues:**

Consideration of this matter is a legislative process.

**Other Issues and Considerations:**

None.

**Strategic Work Program Item or Applicable Council Priority and Goal:**

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

**Decision Options:**

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

**Council's Recommended Action:**

A motion to introduce the ordinance and schedule the public hearing and second reading for June 7, 2022.

**Attachments:**

Ordinance  
Appendix A