

41.14 FIREWORKS.

(Code of Iowa, Sec. 727.2)

1. Definition. The term “fireworks” includes any item or class of items defined as “consumer fireworks” in Section 727.2[1] of the *Code of Iowa*.

2. Fireworks Use Regulations. It is unlawful for any person to use or explode any consumer fireworks as defined herein within the corporate limits of the City. All remaining restrictions, exemptions, and/or requirements imposed by Section 727.2 of the *Code of Iowa* and the applicable regulations promulgated by the State Fire Marshal shall remain in full force and effect. With respect to “display fireworks” as defined in Section 727.2[1] of the *Code of Iowa*, the City may, upon application in writing, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks and other organizations or groups of individuals approved by City authorities when such fireworks display will be handled by a competent operator. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts:

A. Personal Injury: \$250,000.00 per person

B. Property Damage: \$50,000.00

C. Total Exposure: \$1,000,000.00

3. Fireworks Sale Regulations. The retail sale of fireworks with the City in either a permanent building or temporary structure shall be prohibited in any residential zoning district as defined in Chapter 170 of this Code of Ordinances. A copy of the City’s Zoning Map can be found on the City’s website or can be obtained upon request from the City Clerk’s office. Except for the limitations stated above, the City hereby adopts all standards, rules, and regulations promulgated or that will be promulgated by the State Fire Marshal regarding the licensure of fireworks retailers and the retail sale of fireworks pursuant to Sections 100.1, 100.19, and 727.2 of the *Code of Iowa*. The City specifically adopts National Fire Protection Association Standard 1124 with respect to the requirements for the handling, storage, transportation, display, and retail sale of fireworks. All other provisions of the City Code of Ordinances not in conflict with this section or with the laws of the State of Iowa remain valid and enforceable.

(Subsection 3 – Ord. 2022-568 – Apr. 23 Supp.)

4. Exceptions. This section does not prohibit the sale by a resident, dealer, manufacturer, or jobber of such fireworks that are not prohibited, or the sale of any kind of fireworks if they are to be shipped out of State, or the sale or use of blank cartridges for a show or theatre, or for signal purposes in athletic sports or by railroads or trucks for signal purposes, or by a recognized military organization. This section does not apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

5. Penalties. Any person who violates the provisions of Subsection 2 of this section shall be guilty of a simple misdemeanor, punishable by a fine in an amount set out in the Fines and Fees Schedule in Section 1.15 of this Code of Ordinances, in addition to established court costs. Any person or firm who violates the provisions of Subsection 3 of this section shall be guilty of a municipal infraction and subject to the penalties provided for in Chapter 4 of this Code of Ordinances. Nothing in this section shall be construed to limit or infringe upon the ability of the State to impose additional sanctions with respect to any fireworks retailer license held by the violator.