

ORDINANCE NO. 2022-33

AN ORDINANCE OPTING-OUT OF H.B. 172 AND REAFFIRMING THE CITY'S BAN ON THE DISCHARGE, IGNITING OR EXPLODING OF FIREWORKS WITHIN THE CITY OF WILLOWICK, AS SET FORTH IN CHAPTER 549 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, AND DECLARING AN EMERGENCY.

WHEREAS, the Governor of the State of Ohio signed H.B. 172, amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and

WHEREAS, H.B. 172 also provides that any municipal corporation may choose to restrict the days and times that a person may discharge consumer grade fireworks or may impose a complete ban on the discharge, ignition or explosion of consumer grade fireworks; and

WHEREAS, the City Council finds that a prohibition on the discharge of consumer grade fireworks will best protect the public's right to the quiet enjoyment of their premises; and

WHEREAS, this Council finds that the unsafe and illegal discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in densely populated residential and business areas; and

WHEREAS, it is in the best interests of the public to ban the discharge, ignition and explosion of fireworks otherwise permitted by H.B. 172 within the City of Willowick, Lake County, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Willowick, State of Ohio:

Section 1. That Council of the City of Willowick expressly opts-out of the provisions set forth in H.B. 172, and reaffirms the City's complete ban on the discharge, igniting or exploding of fireworks within the City of Willowick, as set forth in Section 549.10 of the Codified Ordinances of the City of Willowick.

Section 2. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare of the residents of the City of Willowick; and further that there is an immediate need to protect the health, safety and welfare of the residents during the warm-weather season by passage of this Ordinance.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2022

Robert Patton, Council President

Submitted to the Mayor: _____, 2022

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2022

ATTEST: _____
Angela Trend, Clerk of Council