

Article VI – General Nuisance Regulations

Chapter 616 – Fireworks

Effective July 15, 2008 – Ordinance 2008-03
Last Amended October 20, 2015 by Ordinance 2015-10

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616.01 DEFINITIONS

For the purposes of Chapter 616 of the codified ordinances of the Village of Lake Isabella the following definitions shall apply;

Consumer Fireworks means a fireworks device that are designed to produce visual effects by combustion that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer Fireworks do not include low-impact fireworks.

Display Fireworks means a large fireworks device that are explosive material intended for use in fireworks displays and designed to produce visual or audible effect by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR, and APA standard 87-1.

Firework or Fireworks means any composition or device, except for a starting pistol, flare gun, or flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of Consumer Fireworks, Display Fireworks, Low-impact Fireworks, articles of pyrotechnic, and special effects.

Low-impact Fireworks means ground and handheld sparkling devices as that phrase is defined by APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

616.03 REGULATIONS

Prohibition on Use of All Fireworks Except as Allowed; Exception

No person shall ignite, discharge, or use any fireworks within the Village of Lake Isabella except as specifically allowed by this chapter.

A. Prohibition on Use of Display Fireworks; Exception

No person shall ignite, discharge or use display fireworks within the Village at any time without a license or permit issued by the Village of Lake Isabella per Section 616.05 of the Codified Ordinances of the Village of Lake Isabella.

C. Prohibition on Use of Consumer Fireworks; Exception

No person shall ignite; discharge or use consumer fireworks within the Village of Lake Isabella, except this prohibition shall not preclude any person from the ignition, discharge and use of consumer fireworks on the preceding, the day of, or the day after a national holiday consistent with Sec. 7 (2) of Michigan Public Act 256 of 2011. As allowed under MCL 28.457 (2b) the use of Consumer Fireworks is prohibited between the hours of 1 AM and 8 AM on the allowed dates established in this sub-section.

D. Use of Low-Impact or Novelty Fireworks.

Low-impact fireworks shall be ignited, discharged, or used so as to not cause injury or damage to any person or property but shall not be ignited, discharged, or used inside any building or structure at any time without a license or permit issued by the Village of Lake Isabella. Novelty fireworks may be ignited, discharged, or used without restriction but such shall only occur in a manner so as to not cause injury or damage to any person or property.

616.05 PERMITS

The Village of Lake Isabella may issue a non-transferable permit to any legal age resident, firm, or corporation to use for display fireworks under the following circumstances.

1. All applications shall be in writing on forms supplied by the Michigan State Police Department. [MCL 750.243b (1)]
2. Before a permit may be issued the legal age resident, firm, or corporation requesting the permit must furnish in written documentation evidence of a security bond or insurance policy covering damages to property and persons arising out of an act or omission on the part of the legal age resident, firm, or corporation or agent or employee thereof in the minimum amount of one million dollars (\$1,000,000) or additionally as may be required by the size and scope of the fireworks being used in requested permit. [MCL 750.243b (3)]
3. The Village of Lake Isabella may require any additional safety requirements as the Village Council deems fit based on the time, place and materials requested on the permit application form. [MCL 750.243b (5)]
4. All applications must be submitted to the Village office in completion no less than twenty-five (25) business days before the requested date of use.

616.07 PENALTY

Any person, firm, corporation, trust, partnership, or other legal entity which violates or refuses to comply with any provision of this chapter shall be responsible for a municipal civil infraction and shall be subject to fines, costs, and other relief as provided for in Chapter 222 of the codified ordinances of the Village of Lake Isabella.