

ORDINANCE NO. 2015-7

AN ORDINANCE TO CREATE AND ENACT SECTION 12-0811 OF THE REVISED ORDINANCES OF 2012 OF THE CITY OF ARGUSVILLE RELATING TO REGULATION OF FIREWORKS WITHIN CORPORATE LIMITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARGUSVILLE, NORTH DAKOTA:

SECTION 1. Section 12-0811 of the Revised Ordinances of 2012 of the City of Argusville, North Dakota, is hereby created and enacted to read as follows:

12-0811. **REGULATION OF FIREWORKS WITHIN CORPORATE LIMITS.** The use of fireworks is prohibited within the corporate limits of the City of Argusville except for in the below circumstances:

1. For the purposes of this section, "fireworks" are defined as any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by explosion or detonation as defined by the North Dakota State Fire Marshall as 1.4G fireworks, including, but not limited to: Star Light, helicopter flyers, cylindrical fountains, cone fountains, wheels, torches, colored fire, sparkler, dipped sticks, comets, shells, soft shell firecrackers not to exceed 1½ inches in length and ½ inch in diameter and total pyrotechnic composition not to exceed 50 mg each.
2. Fireworks may be used July 3 through July 5 within the city limits.
  - a. July 3, legal times for use are 8:00 a.m. to 10:59 p.m.
  - b. July 4, legal time for use will be 8:00 a.m. to 11:59 p.m.
  - c. July 5, legal time for use will be 8:00 a.m. to 10:59 p.m.
3. Fireworks may be used December 31 through January 1 within the city limits.
  - a. December 31 through January 1 legal time for use will be 8:00 a.m. to 1:00 a.m.
4. Fireworks may be used for a special event by applying for a permit. Special event permits will not be required July 3 through July 5 or December 31 through January 1.

To apply for a permit, the following information must be presented in writing to the City Auditor five (5) days prior to the event:

- a. Time, date and location of the event.
  - b. Copy of liability insurance in effect at the time of the event.
  - c. The person in charge must sign the written request.
  - d. The Auditor will approve the permit upon acceptable compliance with the provisions of this section.
4. No person may ignite, discharge or use fireworks on publicly owned or controlled property, including but not limited to, park property, city or county property, school property or federally owned property without prior written authorization from the governing board or authorized representative of the public entity which owns or controls the property.
  5. No person may ignite, discharge or use fireworks on any property owned or controlled by another person or entity without the express permission of the owner or person or entity in control of the property.
  6. Any person found in violation of this section will be guilty of a misdemeanor as set forth in Section 01-0211. In addition to the penalty set forth in Section 01-0211, any violation of this section may result in the seizure or removal, at the expense of the owner, of all fireworks or combustibles offered or exposed for sale, stored, or held.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

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Mayor of the City of Argusville  
North Dakota

ATTEST:

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City Auditor

Date of First Reading: September 8, 2015

Date of Second Reading: October 5, 2015

Date of Publication: May 18, 2016