

# CITY OF WOODWARD

## ORDINANCE NO. 23-419

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WOODWARD, IOWA, 2006, BY AMENDING CHAPTER 49 – FIREWORKS

BE IT ENACTED by the City Council of the City of Woodward, Iowa:

**SECTION 1. AMENDED SECTION.** The Code of Ordinances of the City of Woodward, Iowa, 2006, Chapter 49 – FIREWORKS is amended as follows:

**49.01 PURPOSE.** The purpose of this chapter is to permit the sale of consumer fireworks in certain zoning districts and to provide for certain timeframes when the use of consumer fireworks within the City of Woodward is allowed in compliance with the Code of Iowa.

**49.02 USE OF CONSUMER FIREWORKS.** No person shall discharge a consumer fireworks device outside the following date and hours:

1. July 4<sup>th</sup> from 8:30 p.m. until 10 p.m.
2. No aerial fireworks are allowed and any display emitted from the fireworks must remain below ten feet.
3. A person shall only discharge a consumer fireworks device on real property they own or on property where consent has been given by the property owner. Consumer fireworks devices may not be discharged on any public street, public sidewalk, public park or cemetery unless specifically designated by the Woodward City Council.
4. No fireworks or debris from the fireworks may travel onto a neighboring property or city owned property and all fireworks debris must be picked up and removed within 24 hours.
5. No person under the age of 18 shall discharge a consumer fireworks device.
6. Consumer fireworks shall not be discharged by persons over the legal alcohol limit or under the influence of a drug or narcotic.

**49.03 SALE OF CONSUMER FIREWORKS.** Consumer fireworks sales shall only be allowed as set forth by the regulations of the State of Iowa.

1. The seller of consumer fireworks must have a valid consumer fireworks license issued by the State of Iowa. The seller must also have a valid transient merchant license issued by the City of Woodward if their business meets the definitions within Chapter 122 of the Woodward Code of Ordinances.
2. The sale from a permanent building shall be between June 1 and July 8 and between December 10 and January 3 each year, all dates inclusive.
3. The sale from a temporary structure shall be between June 13 and July 8 each year only, both dates inclusive.

4. Consumer fireworks shall not be sold to anyone under eighteen years of age.

**49.04 USE OF DISPLAY FIREWORKS.** The use of display fireworks within the corporate limits of the City of Woodward is prohibited without a valid permit. The City Council may, upon application in writing, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks, or other organizations or groups of individuals approved by the Council when such fireworks display will be handled by a competent operator. No permit shall be granted unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts:

Personal Injury:	\$ 250,000.00 per person
Property Damage:	\$ 50,000.00
Total Exposure:	\$1,000,000.00


**49.05 PENALTY.** Any person who violates this chapter commits a simple misdemeanor, punishable by a fine of not less than \$250.00 for a first offense and \$500.00 for a second and subsequent offense.

**SECTION 2. SEVERABILITY CLAUSE.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in effect from and after its final passage, approval, posting and publication as required by law.

Introduced this 13<sup>th</sup> day of March, 2023 and adopted by the City Council of the City of Woodward, Iowa on this 8<sup>th</sup> day of May, 2023.

First Reading: March 13, 2023  
Second Reading: April 10, 2023  
Third Reading: May 8, 2023

  
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Todd Folkerts, Mayor

Attest:  
  
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Amy Orr, City Clerk