

## Imlay City Fireworks Ordinance VS. State of Michigan Law

Even if a local government chooses to restrict fireworks in their municipality by passing a local ordinance, **state law requires that fireworks must be allowed on the following days, after 11:00 a.m.:**

- December 31 until 1:00 a.m. on January 1
- The Saturday and Sunday before Memorial Day, until 11:45 p.m.
- June 29 to July 4, until 11:45 p.m.
- July 5, if it falls on a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday before Labor Day, until 11:45 p.m.

Anyone age 18 or older can buy fireworks in the state and here is what is legal under state and local ordinance:

- Consumer fireworks, novelty items and low-impact fireworks listed below:
- Consumer fireworks include Roman candles, bottle rockets, missile-type rockets, aerals, reloadable shell devices, firecrackers, helicopters/aerial spinners and single tube devices.
- For novelty items, check out sparklers, snaps, poppers and snakes.
- Low impact fireworks include ground-based or handheld sparklers, sparkling wheel devices, ground sparkling devices and smoke devices.

### **What is the definition of a legal or illegal Firework?**

**NOT LEGAL Types:** *Anytime during the year or holiday period by state Law definition or City Ordinance: (Without a Permit)*

- **Display Fireworks:** large firework devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration.
- **Class "B" fireworks**

## **LEGAL: Class “C” Consumer**

**Consumer Fireworks**-Firework devices that are designed to produce visible and audible effects by combustion, that are required to comply with the construction, chemical composition and labeling regulations promulgated by the United States Consumer safety commission.

- Sky rockets
- Bottle rockets
- Missile rockets
- Helicopter
- Aerial spinners
- Roman candles
- Mine or shell devices
- Aerial shell kits
- Firecrackers
- Chasers
- And most multiple tube devices

### **Low-Impact Fireworks- Legal**

- Ground and handheld fireworks
- Sparklers
- Cylindrical fountains
- Cone fountains
- Illuminating torches
- Wheels
- Ground spinners
- Certain toy smoke devices
- Wire sparklers

## **WHERE CAN I USE MY LEGAL FIREWORKS? According to Imlay City Ordinance**

### **Your own property or somewhere with permission**

A person shall not use, discharge and or ignite consumer fireworks on **public property, school property, church property or the property owned by another or entity without the entity’s expresses permission.**

A person shall not use, discharge and or ignite consumer fireworks in such a manner so as remnants from said fireworks land or public property or the property of another.

**(When your legally used possessed consumer firework leaves the ground and travels to the property other than your own, the remnants of the firework such as the stick, wire or outer shell constitutes a violation of Imlay City Ordinance, 157.03 (d))**

## **157.06 ENFORCEMENT**

- (A) This ordinance may be enforced by the Imlay City police Department, their designees. Or other sworn law enforcement officers.
- (B) If an enforcing official determines that a violation of this ordinance has occurred, the official may seize the fireworks as evidence of such violation.
- (C) A violation of this ordinance is a civil infraction, punishable by a civil fine of \$1,000.00 for each violation, \$500.00 of the civil fine will be remitted to the law enforcement agency responsible for enforcing the ordinance.
- (D) Upon a finding or responsibility for a violation of this ordinance, the city of Imlay City may dispose of or destroy any consumer fireworks or low impact firework retained as evidence for prosecution of the violation.