

ORDINANCE NO. 23-22

AN ORDINANCE OPTING-OUT OF H.B. 172 AND REAFFIRMING THE BAN ON DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE CITY OF CONNEAUT, AS SET FORTH IN CHAPTER 1519 OF THE CODIFIED ORDINANCES OF THE CITY OF CONNEAUT, AND DECLARING AN EMERGENCY.

WHEREAS, the Governor recently 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 pursuant to home rule authority, a city may choose to restrict the days and times that a person may discharge consumer grade fireworks or may impose a complete ban on the use of consumer grade fireworks; and

WHEREAS, this Council finds that continuing the ban on the discharge of consumer grade fireworks, as set forth in Chapter 1519 of the Codified Ordinances, 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, both Conneaut City Fire Chief Lee and Conneaut City Police Chief Colby strongly recommend that the Council of the City of Conneaut opt-out of H.B. 172 and reaffirm the existing ban on discharging, igniting or exploding fireworks set forth in Chapter 1519 of the Codified Ordinance; and

WHEREAS, the Administration and Council of the City of Conneaut finds that it is in the best interests of the public to continue to ban the discharge, ignition and explosion of fireworks otherwise permitted in H.B. 172, as set forth in existing Chapter 1519 of the Codified Ordinances of the City of Conneaut.

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

SECTION 1. That the Council of the City of Conneaut expressly opts-out of the provisions set forth in H.B. 172, and reaffirms the ban on discharging, igniting or exploding fireworks as set forth in Chapter 1519 of the Codified Ordinances of the City of Conneaut.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared ^{Not} to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the reason that opting-out of the provisions of H.B. 172 should occur prior to the first holiday of the warm-weather season, and shall take effect immediately upon passage.

Passed this 11th day of April, 2022.

[Signature]
President of Council

ATTEST:

[Signature]
Clerk of Council

I, *Pamela O'Connell*, Clerk of the Council of the City of Conneaut, Ohio, do hereby certify that the foregoing is a true and accurate copy of *Ord. No. 22-22* passed on the *11th* day of *April*, 20 *22* by said Council.
Pamela O'Connell
Clerk of Council *4/11/22*