

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 9 PUBLIC PEACE, MORALS AND WELFARE, CHAPTER 9.16 FIREWORKS, BY AMENDING SECTIONS 9.16.030 LIMITED USE OF PERMISSIBLE CONSUMER FIREWORKS; 9.16.040 SALE OF FIREWORKS, PARAGRAPH C; AND 9.16.050 POSTING OF SIGNS BY PERSONS ENGAGED IN THE SALE OF FIREWORKS; CIVIL PENALTY, PARAGRAPH A ALL RELATED TO REGULATIONS FOR THE SALE AND USE OF FIREWORKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Arizona State Legislature and Governor approved amendments to the State law governing the sale and use of fireworks in Arizona;

WHEREAS, the Council of the Town of Youngtown, Arizona, desires to bring the Town Code related to fireworks into conformance with State law;

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

9.16.030 Limited use of permissible consumer fireworks.

The use, discharge, or ignition of permissible consumer fireworks is prohibited within the town except that permissible consumer fireworks may be used ~~from June 24 through July 6 of each year and December 24 of each year through January 3 of the following year~~ ON SUCH DATES AS ALLOWED PURSUANT TO A.R.S. § 36-1606.A.1.

9.16.040 Sale of fireworks.

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C. No person shall sell or permit or authorize the sale of permissible consumer fireworks, except ~~from June 24 through July 6 of each year and December 24 of each year through January 3 of the following year~~ ON SUCH DATES AS ALLOWED PURSUANT TO A.R.S. § 36-1606.A.1.

9.16.050 Posting of signs by persons engaged in the sale of fireworks; civil penalty.

- A. Prior to the sale of permissible consumer fireworks, every person engaged in such sales shall prominently display signs ~~indicating the following:~~ AS SET FORTH IN A.R.S. § 36-1606. B.

~~STATE OF ARIZONA
CONSUMER FIREWORKS REGULATIONS
ARIZONA REVISED STATUTES § 36-1601, ET AL.
THE USE OF PERMISSIBLE CONSUMER FIREWORKS AS DEFINED
UNDER STATE LAW IS ALLOWED:
JUNE 24 – JULY 6 AND DECEMBER 24 – JANUARY 3
THE SALE OF PERMISSIBLE CONSUMER FIREWORKS AS DEFINED
UNDER STATE LAW IS ALLOWED:
MAY 20 – JULY 6 AND DECEMBER 10 – JANUARY 3
ALL OTHER FIREWORKS ARE PROHIBITED, EXCEPT AS AUTHORIZED
BY LOCAL FIRE DEPARTMENT PERMIT.
THE SALE AND USE OF NOVELTIES KNOWN AS SNAPPERS (POP-ITS),
PARTY POPPERS, GLOW WORMS, SNAKES, TOY SMOKE
DEVICES, AND SPARKLERS ARE PERMITTED AT ALL TIMES.
PERMISSIBLE CONSUMER FIREWORKS MAY NOT BE SOLD TO
PERSONS UNDER SIXTEEN (16) YEARS OF AGE.
CHECK WITH YOUR LOCAL FIRE DEPARTMENT FOR ADDITIONAL
REGULATIONS AND DATES BEFORE USING.~~

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Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Unless otherwise provided, any person found in violation of any provision of this Ordinance shall be responsible under Section 1.12.010 of the Town Code for a civil violation, punishable by a fine not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each violation. Each day that a violation continues shall be a separate offense punishable as herein described.

