

**AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTIONS
660.08(c)(4)(D) AND 672.12(f)(2) AND REGULATING THE USE OF
CONSUMER GRADE FIREWORKS; AND DECLARING AN
EMERGENCY.**

WHEREAS, the City of Hudson wishes to regulate the practice, possession, and use of consumer-grade fireworks; and,

WHEREAS, it is in the best interest and safety of the residents of the City of Hudson to amend Section 672.12(f)(2) regarding Fireworks within the City of Hudson; and,

WHEREAS, the General Assembly recently passed and Governor signed House Bill 172 into law amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer-grade fireworks to discharge them on their own property or on another person's property with permission on the certain designated days, and further allowing local municipalities to regulate the use of consumer-grade fireworks as provided in Ohio R.C. 3743.45; and,

WHEREAS, this Council wishes to continue the regulation of consumer-grade fireworks as defined in the City of Hudson's Codified Ordinance Section 672.12;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, County of Summit, Ohio as follows:

Section 1: That Section 672.12(f)(2) of the City's Codified Ordinances, as it existed prior to the effective date of this Ordinance, be hereby amended and replaced as follows:

Except as provided in Ohio R.C. 3743.80 or a substantially similar municipal ordinance, and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 through 3743.55 or a substantially similar municipal ordinance, **and except as provided in this Section, no person shall discharge, ignite, or explode any fireworks in this Municipality. Fireworks discharged, ignited, or exploded pursuant to this section shall not be considered a public exhibition. Further, any person authorized under this section to possess 1.4G fireworks in this state may discharge, ignite, or explode those fireworks on private property, with authorization from the property owner, on the following days each year:**

(A) The first day of January;

(B) Chinese new year's day;

(C) The fifth day of May;

(D) The last Monday in May, and the Saturday and Sunday immediately preceding that day;

(E) The nineteenth day of June;

(F) The third, fourth, and fifth days of July;

(G) The first Friday, Saturday, and Sunday before and after the fourth day of July;

(H) The first Monday of September, and the Saturday and Sunday immediately preceding that day;

(I) Diwali;

(J) The thirty-first day of December.

Section 2: That Section 660.08(c)(4)(D) of the City's Codified Ordinances, as it existed prior to the effective date of this Ordinance, is hereby amended and replaced as follows:

Fires and/or pyrotechnic effects, for purposes other than waste disposal, set as part of commercial film-making or video production activities for motion pictures and television
or as permitted in Section 672.12(f)(2).

Section 3: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 4: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: That this Ordinance is hereby declared to be an emergency measure necessary for conformity with the Ohio Revised Code, the timely and immediate implementation of these changes to the Codified Ordinances before the effective date of House Bill 172 (i.e. July 1, 2022), the preservation of the public peace, health, and safety of the City's residents by rationally and properly regulating noise and physical harm, and to allow for the continued safe and effective operations of the City Police Department, City Fire Department and other departments and shall, therefore, take effect and be in force from and immediately after its passage.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 22-70 was duly passed by the Council of said Municipality on _____, 2022.

Aparna Wheeler, Clerk of Council