

ORDINANCE NO. 641

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2017, BY  
REGULATING THE SALE AND USE OF FIREWORKS

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Section Amended. Section 41.12 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is repealed and the following adopted in lieu thereof:

1. Definitions. The definitions enumerated in Iowa Code Section 727.2 and Sections 10A.518 and 10A.519 are incorporated herein by reference.
2. Sales – General Requirements.
  - A. Dates of Sale. Consumer fireworks sales shall only be conducted in accordance with dates and times designated by Iowa Code Section 727.2. It shall be unlawful to sell consumer fireworks without meeting the requirements specified in this Ordinance, or to sell fireworks outside of the dates specified.
    - a. Approved consumer fireworks sales meeting the requirements of this chapter shall be allowed from an approved permanent structure or building between June 1 and July 8 and from December 10 until January 3.
    - b. Approved consumer fireworks sales meeting the requirements of this chapter shall be allowed from an approved temporary structure between June 13 and July 8.
  - B. Safety Requirements. The following safety requirements shall be adopted for all locations where consumer fireworks are sold.
    - a. No person shall sell consumer fireworks to a person under the age of 18.
    - b. Consumer fireworks shall not be sold to persons showing visible signs of, or determined to be, intoxicated or under the influence of a drug or narcotic.
  - C. It is unlawful for any person to offer for sale, expose for sale, and sell at retail any consumer fireworks without first providing evidence of Iowa State Fire Marshal inspection and

licensing compliance and applying to the City for a permit and payment of a fee as established by the most current resolution passed by the City Council.

- D. Restricted Sale Locations. Consumer fireworks sales shall only be allowed in areas zoned CBC – Central Business Commercial and LI – Light Industrial.

3. Fireworks – Restrictions on Discharging.

- A. No person shall discharge a consumer fireworks device outside the following dates and hours:
  - a. July 3<sup>rd</sup> from the hours of 10:00 A.M. until 10:00 P.M. (Exception: discharge hours are extended to 11:00 P.M. if the 3<sup>rd</sup> is a Saturday or Sunday).
  - b. July 4<sup>th</sup> from the hours of 10:00 A.M. until 11:00 P.M.
  - c. From 10:00 A.M. on December 31<sup>st</sup> until 12:30 A.M. on January 1<sup>st</sup>.
- B. No person under the age 18 shall possess or discharge a consumer firework within the municipal limits of Jefferson without parental supervision.
- C. A person shall only discharge a consumer fireworks device on real property they own or on property where signed and written consent has been given.
- D. The City may, upon application in writing, grant a permit for the display of display fireworks on public property by a City agency, fair associations, and such other organizations or groups of individuals approved by City authorities when such display fireworks display will be handled by a licensed operator. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance as required under Iowa Code Section 727.2 and under this Chapter.
- E. Consumer fireworks shall not be possessed or discharged by persons showing visible signs of, or determined to be, intoxicated or under the influence of a drug or narcotics.
- F. It shall be unlawful to alter, remove, or discharge components of a consumer fireworks device.
- G. Sky lantern open flame devices are not permitted to be released within the city limits.
- H. Any person discharging a consumer fireworks device assumes all responsibility for its operation and the consequences thereof. No person shall discharge a consumer fireworks device in a reckless manner or manner such as to cause death, injury, fire, or property damage.

- I. Consumer fireworks shall not be discharged during a burn ban as established by the Iowa State Fire Marshal pursuant to Iowa Code Section 100.40, or as recommended by the Jefferson Fire Chief pursuant to Section 37.07(10) of the Code of Ordinances of the City of Jefferson.
- J. Consumer fireworks shall not be discharged, lit, or otherwise activated within 1,000 feet of where commercial fireworks are sold.

4. Manufacture of Fireworks. It shall be unlawful for a person to manufacture fireworks within the city limits without a permit as may be required by local, state, or federal laws and regulations.

5. Violations. All violations of any provisions of this Chapter may be prosecuted by the City either as simple misdemeanors or municipal infraction with fines as provided herein. A landowner who knowingly allows persons to discharge fireworks on their property in violation of this Ordinance shall also be deemed to be in violation. A violation of this Ordinance is punishable by a fine of not less than \$500.00 for the first offense, \$750.00 for the second offense, and \$1,000.00 for the third and subsequent offenses. Violations of this Ordinance shall additionally be reported to the Iowa State Fire Marshal.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed

SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, 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 4. When effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Finally passed by the Council and approved on March 25, 2025.

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Craig J. Berry, Mayor

Attest:

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Roxanne Gorsuch, City Clerk

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I hereby certify that the foregoing ordinance was published in The Jefferson Herald on April 3, 2025.

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Roxanne Gorsuch, City Clerk