

BINGHAM TOWNSHIP

CONSUMER FIREWORKS ORDINANCE

ORDINANCE NO: 02-07-15-13

An Ordinance to secure the public health, safety and general welfare of the citizens of Bingham Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Bingham Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

BINGHAM TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Bingham Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Bingham Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Bingham Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.
- b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Bingham Township is prohibited at all times except for certain times on the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. The ignition, discharge, and use of Consumer Fireworks in Bingham Township is prohibited between the hours of 1:00 a.m. and 8:00 a.m. on the day preceding, the day of, and the day after a National Holiday.
- b. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- c. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- a. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236

of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 30 days following publication.

By: Peggy Core, Clerk

By: Midge Werner, Supervisor

RESOLUTION 2013-05
TOWNSHIP OF CENTERVILLE - NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the CENTERVILLE TOWNSHIP BOARD OF TRUSTEES, at a meeting on June 12, 2013 at 7:00 p.m. in the Centerville Township Hall, Leelanau County, Michigan 49621, adopted the Centerville Township Consumer Fireworks Ordinance as Resolution #2013-05. The full text of the ordinance is as follows:

CENTERVILLE TOWNSHIP

**CONSUMER FIREWORKS ORDINANCE
ORDINANCE NO: 2013-05**

An Ordinance to secure the public health, safety and general welfare of the citizens of Centerville Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Centerville Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

CENTERVILLE TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Centerville Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Centerville Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Centerville Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

- b. Low-impact fireworks means ground and handheld sparking devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
- c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Centerville Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be

subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 30 days following publication.

On June 12, 2013, Motion by Schwantes to adopt Resolution 2013-05 Consumer Fireworks Ordinance as proposed, supported by Pleva.

Roll Call Vote:

Wurm= Yes, Kelenski= Yes, Pleva= Yes, Schwantes= Yes
(Peplinski = Not Present)
Yeas= 4, Nays= 0
Motion Carried (4-0).

CENTERVILLE TOWNSHIP

By: Leonard Kelenski
Leonard Kelenski, Supervisor

Date: 6-12-2013

TOWNSHIP CLERK CERTIFICATE

The undersigned, Clerk of the Township of Centerville, certifies that this ordinance was adopted by the Township Board on June 12th, 2013; the synopsis was published in the Leelanau

Enterprise on June 20th, 2013; and the effective (30) days later on July 20th, 2013.

A copy was filed with the Leelanau County Clerk's Office on July 1, 2013.

By: David Wurm
David D. Wurm, Clerk

Date: 6-12-2013

TOWNSHIP OF CLEVELAND – NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the CLEVELAND TOWNSHIP BOARD OF TRUSTEES, at a meeting on June 11, 2013, at 7:00 p.m. in the Cleveland Township Hall, 955 E. Harbor Highway, Maple City, Michigan 49664, adopted the Cleveland Township Consumer Fireworks Ordinance No. 2 of 2013. The full text of the ordinance is as follows:

CLEVELAND TOWNSHIP

CONSUMER FIREWORKS ORDINANCE ORDINANCE NO. 2 OF 2013

An Ordinance to secure the public health, safety and general welfare of the citizens of Cleveland Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Cleveland Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*)

CLEVELAND TOWNSHIP ORDAINS:

Section: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Cleveland Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Cleveland Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section2: Title

This Ordinance shall be known and cited as the Cleveland Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

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LEELANAU COUNTY
PROSECUTING ATTORNEY

b. Low-Impact Fireworks: means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge and use of Consumer Fireworks in Cleveland Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.

b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or combination of alcoholic liquor and a controlled substance, or other intoxicating substance.

c. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

d. A local unit of government with a population of less than 50,000 located in a county with a population of less than 750,000 may regulate the ignition, discharge, or use of consumer fireworks between the hours of 1 a.m. and 8 a.m.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/Civil Infraction

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws and shall be

subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered a separate violation.

Section 7: Enforcement

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directly alleged violators of this Ordinance to appear in Court.

Section 8: Effective Date

This Ordinance shall take effect 30 days following publication.

By: Jan Nowak, Clerk

By: Timothy Stein, Supervisor

**CHARTER TOWNSHIP OF ELMWOOD
LEELANAU COUNTY
ORDINANCE 2013-3**

CONSUMER FIREWORKS ORDINANCE

An Ordinance to secure the public health, safety and general welfare of the citizens of the Charter Township of Elmwood, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in the Charter Township of Elmwood, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

THE CHARTER TOWNSHIP OF ELMWOOD ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes the Charter Township of Elmwood to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes the Charter Township of Elmwood to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Charter Township of Elmwood Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.
- b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
- c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in

May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in the Charter Township of Elmwood is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

The deputies of the Leelanau County Sheriff are hereby designated as the authorized

officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 8 days following publication.

By: Connie M. Preston

Connie Preston, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance #2013-3, first presented to the Township Board on June 10, 2013 followed by publication in the Leelanau Enterprise on July 3, 2013.

I further certify that the ordinance was duly adopted by the Township Board of the Charter Township of Elmwood, County of Leelanau, Michigan at a regular meeting held on July 8, 2013, at which all members were present.

The approved ordinance was published on July 18, 2013 in the Leelanau Enterprise.

The effective date is July 25, 2013.

Dated July 18, 2013

Connie M. Preston

Connie Preston, Clerk

FILED

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MICHELLE L. CROCKER
LEELANAU COUNTY CLERK
13TH CIRCUIT COURT

EMPIRE TOWNSHIP

CONSUMER FIREWORKS ORDINANCE No. 05-13

AN ORDINANCE TO SECURE THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF EMPIRE TOWNSHIP, LEELANAU COUNTY, MICHIGAN, BY REGULATING THE USE OF CONSUMER FIREWORKS IN EMPIRE TOWNSHIP, AS PROVIDED IN PUBLIC ACT 256 OF 2011, AS AMENDED (MCL 28.451, *et seq.*).

EMPIRE TOWNSHIP HEREBY ORDAINS:

Section 1: Findings

The Empire Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Empire Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Empire Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety, and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Empire Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in AP A standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.

b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Empire Township are prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and are further limited by the following:

- a. A person shall not ignite, discharge, or use consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m.
- b. A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- c. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- d. Consumer fireworks shall only be used in accordance with all applicable local, state, and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement

Deputies of the Leelanau County Sheriff or other persons designated by the Township Board are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date

This Ordinance shall take effect 30 days after publication in accordance with law.

Adoption of the foregoing ordinance was moved by Neiswonger and supported by Price.

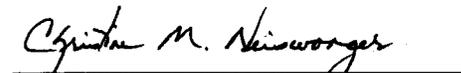
Voting for: Neiswonger, Bolton, Price, Noonan. Absent: Deering. Voting against: None.

The ordinance was declared adopted.


William B. Bolton
Township Supervisor

CERTIFICATION

The above is a true copy of ordinance No. 05-13 which was duly adopted by the Empire Township Board at a regularly scheduled meeting held on June 11, 2013.


Christine M. Neiswonger
Township Clerk

TOWNSHIP OF GLEN ARBOR
ORDINANCE # 1-2013

CONSUMER FIREWORKS ORDINANCE

PLEASE TAKE NOTICE that the GLEN ARBOR TOWNSHIP BOARD OF TRUSTEES, at a meeting on June 18, 2013 at 7:30 p.m. in the Glen Arbor Township Hall, 6394 W Western Ave, Glen Arbor, Michigan 49636, adopted the Glen Arbor Township Consumer Fireworks Ordinance #1-2013. The full text of the ordinance is as follows:

An Ordinance to secure the public health, safety and general welfare of the citizens of Glen Arbor Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Glen Arbor Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

GLEN ARBOR TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Glen Arbor Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Glen Arbor Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Glen Arbor Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Glen Arbor Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge, or use consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m.
- b. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- c. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- d. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

Deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 30 days following publication.

Motion by Gretzema, support Kelly to approve Glen Arbor Township Ordinance # 1-2013. Roll call vote; Thompson, aye; Kelly, aye; Gretzema, aye; Quick, aye and Soderholm, aye. Motion carried unanimously. Ordinance duly adopted.

Bonnie Quick

Glen Arbor Township Clerk

TOWNSHIP OF LEELANAU – NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the LEELANAU TOWNSHIP BOARD OF TRUSTEES, at a meeting on July 9, 2013 at 7:00 p.m. in the Leelanau Township Hall, 119 E. Nagonaba St., Northport, Michigan 49670, adopted the Leelanau Township Consumer Fireworks Ordinance #2 of 2013. The full text of the ordinance is as follows:

LEELANAU TOWNSHIP

CONSUMERS FIREWORKS ORDINANCE ORDINANCE NO: 2 OF 2013

An Ordinance to secure the public health, safety and general welfare of the citizens of Leelanau Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Leelanau Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*)

LEELANAU TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Leelanau Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Leelanau Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

The Ordinance shall be known and cited as the Leelanau Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumers Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

- b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
- c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Leelanau Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/Civil Infraction

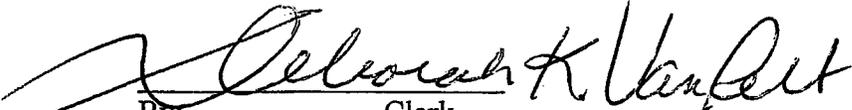
Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date

This Ordinance shall take effect 30 days following publication.


By: _____ Clerk


By: _____ Supervisor

EFFECTIVE: Aug 17, 2013

TOWNSHIP OF LELAND—NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the LELAND TOWNSHIP BOARD OF TRUSTEES, at a special meeting on May 30, 2013 at 1:00 p.m. in the Leland Township Office, 123 N. St. Joseph St., Lake Leelanau, Michigan 49653, adopted the Leland Township Consumer Fireworks Ordinance #2013-01. The full text of the ordinance is as follows:

LELAND TOWNSHIP CONSUMER FIREWORKS ORDINANCE (ORDINANCE NO. 2013-01)

An Ordinance to secure the public health, safety and general welfare of the citizens of Leland Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Leland Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

LELAND TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Leland Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Leland Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Leland Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.
- b. Low-Impact Fireworks: Ground and handheld sparkling devices as defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

- c. National Holiday: As defined in 5 USC 6103 and including: New Year's Day (January 1); Martin Luther King Jr. Day (third Monday in January); Presidents' Day (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans' Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge and Use of Consumer Fireworks

The ignition, discharge, and use of consumer fireworks in Leland Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall be used only in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance, the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

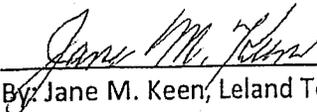
Section 7: Enforcement.

The Township Supervisor, other persons designated by the Township Board, and

deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 14 days following publication in the Leelanau Enterprise.


By: Jane M. Keen, Leland Township Clerk

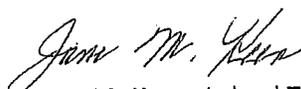

By: Calvin R. Little, Leland Township Supervisor

CERTIFICATION

The foregoing is a true copy of Leland Township Ordinance 2013-01, which was enacted by the Leland Township Board of Trustees at a special meeting held on May 30, 2013.

Published: June 6, 2013—Leelanau Enterprise

Effective: June 20, 2013


Jane M. Keen, Leland Township Clerk

TOWNSHIP OF LELAND—NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the LELAND TOWNSHIP BOARD OF TRUSTEES, at a special meeting on May 30, 2013 at 1:00 p.m. in the Leland Township Office, 123 N. St. Joseph St., Lake Leelanau, Michigan 49653, adopted the Leland Township Consumer Fireworks Ordinance #2013-01. The full text of the ordinance is as follows:

LELAND TOWNSHIP CONSUMER FIREWORKS ORDINANCE (ORDINANCE NO. 2013-01)

An Ordinance to secure the public health, safety and general welfare of the citizens of Leland Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Leland Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

LELAND TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Leland Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Leland Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Leland Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.
- b. Low-Impact Fireworks: Ground and handheld sparkling devices as defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

- c. National Holiday: As defined in 5 USC 6103 and including: New Year's Day (January 1); Martin Luther King Jr. Day (third Monday in January); Presidents' Day (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans' Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge and Use of Consumer Fireworks

The ignition, discharge, and use of consumer fireworks in Leland Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall be used only in accordance with all applicable local, state and federal laws.
- d. The use of consumer fireworks is prohibited in the township between the hours of 1 a.m. and 8 a.m.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance, the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 30 days following publication in the Leelanau Enterprise.

By: Jane M. Keen, Leland Township Clerk

By: Calvin R. Little, Leland Township Supervisor

CERTIFICATION

The foregoing is a true copy of Leland Township Ordinance 2013-01, which was enacted by the Leland Township Board of Trustees at a special meeting held on May 30, 2013.

Published: June 6, 2013—Leelanau Enterprise

Effective: July 6, 2013

Amended:

Amendment published:

Effective Date of amended ordinance:

Jane M. Keen, Leland Township Clerk

TOWNSHIP OF SUTTONS BAY- NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the SUTTONS BAY TOWNSHIP BOARD OF TRUSTEES, at a meeting on June 12, 2013 at 5:15 p.m. in the Suttons Bay Township Office, 95 W. Fourth Street, Suttons Bay, Michigan, adopted the Suttons Bay Township Consumer Fireworks Ordinance #3-2013. The full text of the ordinance is as follows:

SUTTONS BAY TOWNSHIP

CONSUMER FIREWORKS ORDINANCE ORDINANCE NO: 3-2013

An Ordinance to secure the public health, safety and general welfare of the citizens of Suttons Bay Township, Leelanau County, Michigan, by regulating the use of Consumer Fireworks in Suttons Bay Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

SUTTONS BAY TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Suttons Bay Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Suttons Bay Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Suttons Bay Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- a. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

- b. Low-impact fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
- c. National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Suttons Bay Township is prohibited at all times except for the day preceding, the day of, and the day after a National Holiday, and is further limited by the following:

- a. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
- b. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance, or other intoxicating substance.
- c. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 5: Severability

This Ordinance shall be deemed severable. If any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty/ Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be

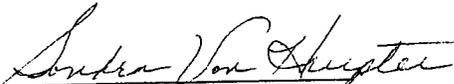
subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus cost and assessments as provided in MCL 600.8727. Each day this Ordinance is violated shall be considered as a separate violation.

Section 7: Enforcement.

The Township Supervisor, other persons designated by the Township Board, and deputies of the Leelanau County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8: Effective Date.

This Ordinance shall take effect 30 days following publication.


By: Sandra Van Huystee, Clerk


By: Richard Bahle, Supervisor

Affidavit of Publication

Suttons Bay Township

Suttons Bay Township Notice To The Public

Notice Of Adoption

Please take notice that the Suttons Bay Township Board at their regular meeting on June 12, 2013 at 5:15 PM held at the Township Office adopted Ordinance No. 3-2013, known as the SUTTONS BAY CONSUMERS FIREWORKS ORDINANCE.

The following is a synopsis:

Section: 1 - Findings-regulate the public health, safety of persons, and property.

Section: 2 - Title of ordinance

Section: 3 - Purposes of Ordinance

Section: 4 - Ignition Discharge and

Section: 5 - Severability

Section: 6 - Penalty/Civil Infraction

Section: 7 - Enforcement

Section: 8 - Effective Date

Section: 9 - Repealer

Section: 10 - Other Provisions

Section: 11 - Intent

Section: 12 - Intent

Section: 13 - Intent

Section: 14 - Intent

Section: 15 - Intent

Section: 16 - Intent

Section: 17 - Intent

Section: 18 - Intent

Section: 19 - Intent

Section: 20 - Intent

Section: 21 - Intent

Section: 22 - Intent

Section: 23 - Intent

Section: 24 - Intent

Section: 25 - Intent

Section: 26 - Intent

Section: 27 - Intent

Section: 28 - Intent

Section: 29 - Intent

Section: 30 - Intent

Section: 31 - Intent

Section: 32 - Intent

Section: 33 - Intent

Section: 34 - Intent

Section: 35 - Intent

Section: 36 - Intent

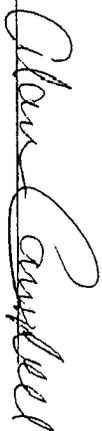
Section: 37 - Intent

Section: 38 - Intent

The Complete Ordinance is available at the Suttons Bay Township Office 95 W. Fourth Street, Suttons Bay, MI 49882 during regular business hours or online at www.leelanau.org.
Sandra Van Hylstee
Suttons Bay Township Clerk

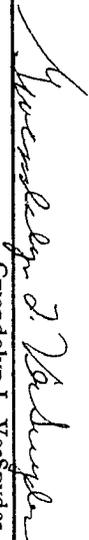
Alan C. Campbell being first duly sworn, says that he is the publisher of The Leelanau Enterprise-Tribune, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published:

June 27, 2013

Signed: 

Alan Campbell, Publisher

Subscribed and sworn to before me this 27th day of June, 2013.


Gwendolyn L. VerSnyder,
Notary Public, Leelanau County, Michigan
Acting in Leelanau County

My Commission Expires February 20, 2018

**Village of Empire
Leelanau County, Michigan**

Ordinance No. 138

**AN ORDINANCE TO PROVIDE FOR THE REGULATION OF THE IGNITION,
DISCHARGE AND USE OF FIREWORKS WITHIN THE VILLAGE OF EMPIRE**

The Village of Empire Ordains:

Section 1. Purpose

This ordinance shall provide for the regulation of the ignition, discharge and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act. MCL28.451 et seq., as amended. The Village of Empire finds that fireworks endanger property, can cause physical injury and disrupt the peace and quality of residential neighborhoods and other districts. The Village of Empire endeavors to reconcile the rights that the Act confers upon sellers and consumers, with the rights of citizens and families to reside in a safe, peaceful, and harmonious community. This ordinance is adopted to amend any existing fireworks ordinances that conflict with the Act, and to impose conditions on the time, place, manner of use, discharge and ignition of fireworks deemed to be within the purview of local regulation, and to protect the public health, safety and general welfare of village residents.

Section 2. Definitions

Except when the context clearly indicates a different meaning, the following words, terms and phrases used in this ordinance shall have the following meanings:

“Act” means the Michigan Fireworks Safety Act, Act 256 of 2011, and any amendments to the Act which may be from time to time adopted.

“APA standard 87-1” means 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American pyrotechnics association of Bethesda, Maryland.

“Consumer fireworks” means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. A Consumers firework does not include low-impact fireworks.”

“Display fireworks” means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11 49 CFR172, and APA standard 87-1.

“Articles pyrotechnic” means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction by not intended for consumer use, that meet

the weight limits for consumer fireworks but are not labeled as such, and that are classified as UND431 or UND432 under 49 CFR 172.101.

“Fireworks” means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation. Fireworks consist of consumer fireworks, low impact fireworks, articles pyrotechnic, display fireworks, and special effect.

“Low-impact fireworks” means ground and handheld sparkling devices as that phrase is defined under APA standards.

“Novelties” means that term as defined under APA standards and all of the following:

- (1) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap;
- (2) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described above are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (3) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.
- (4) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer’s name and the quantity contained in each box are printed on the box, and toy smoke devices.

“Special effects” means a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production or live entertainment.

“Minor” means an individual who is less than 18 years of age.

National holiday means the following legal public holidays:

1. New Year’s Day, January 1st
2. Martin Luther King’s Birthday, third Monday in January
3. Washington’s birthday, the third Monday in February
4. Memorial Day, the last Monday in May
5. Independence Day, July 4
6. Labor Day, the first Monday in September
7. Columbus Day, the second Monday in October
8. Veterans Day, November 11
9. Thanksgiving Day, the fourth Thursday in November
10. Christmas Day, December 25th

“Person” means any individual, agent, legal representative, association, charitable organization, church, non-profit organization, unincorporated organization, labor organization, partnership, limited liability company, corporation, or any other entity or organization. An individual shall include a minor as defined in this ordinance.

Section 3. Manufacture of Fireworks

The manufacture of fireworks is prohibited within the Village.

Section 4. Prohibited and exempt uses

The use of explosives of any type is also prohibited, except as permitted by Ordinance 75 of 2001.

- (a) Consumer Fireworks: A person shall not ignite, discharge or use consumer fireworks, except on the day preceding, the day of, or the day after a national holiday, provided that a person shall not ignite, discharge or use consumer fireworks in violation of the Act and/or this ordinance.
- (b) Low impact or novelty fireworks may not be discharged between the hours of 11:00pm and 7:00AM., or after dark whichever is earlier, and may not otherwise be discharged in violation of this ordinance and/or the Act.
- (c) Illegal fireworks: Any use, possession, or discharge of fireworks that is illegal and not approved by the State of Michigan or the State Fire Marshall is prohibited, regardless of how it is labeled.
- (d) The use of display fireworks is prohibited, except as permitted by Ordinance 75 of 2001

Section 5. Minors

A. A minor shall not possess, use, discharge or ignite any consumer fireworks, at any time, nor on any day, including national holidays, and the day before and day after a national holiday.

B. A minor shall not use, discharge, or ignite any low impact fireworks or novelty fireworks, unless under the supervision of a parent or guardian, and the use, discharge and/or ignition is within permitted hours, and does not violate the provisions of this ordinance and/or the Act.

Section 6. General Restrictions

A. Unless specifically authorized, the use, discharge or ignition of any fireworks, including consumer fireworks, is prohibited on public property regardless of the day.

B. Fireworks, including consumer fireworks, shall not be ignited within 20 feet of an open flame, a burner, gasoline, ignited gas or electric grill, or in any enclosed structure, garage, tent, or shed, or under any canopy, or overhanging cover of any nature.

C. Excessive uses of fireworks, including consumer fireworks, which result in the disruption of residents, are prohibited, notwithstanding anything contrary in the Act. Excessive use is defined as conduct that includes the continuous or intermittent ignition of fireworks continuing for more than 20 minutes.

D. No person shall either individually or in concert with another person, cause damage to any private or public property by the use, discharge or ignition of any fireworks.

E. No consumer fireworks may be ignited, launched or discharged within 200 feet of a residential building or vehicle.

F. No consumer fireworks may be ignited, launched or discharged within the Village of Empire between the hours of 11:00 pm and 7:00 am.

Section 7. Exemptions

Exempt from the provisions of this ordinance is the use of explosives by police officers, licensed contractors, and emergency response teams as required for public works, construction projects, and emergency management. These authorized parties shall notify the Glen Lake Fire department and the Village, if possible, prior to plan explosive use, and shall take adequate measures to ensure the safety of village residents and visitors.

Section 8. Imminent Dangers

Notwithstanding the Act, any use, discharge or ignition of fireworks that presents an imminent danger or threat to the public health, safety, or welfare, as deemed by the Glen Lake Fire department shall be prohibited, and the fireworks may be immediately seized.

Section 9. Penalties

Any person who violates this ordinance shall be responsible for a municipal civil infraction, as defined in the Village of Empire's Municipal Civil Infraction Ordinance # 107. All fireworks used, discharged, and or ignited in violation of the Act and/or this ordinance is subject to seizure. Any costs incurred by the Village to seize and store the fireworks shall be paid by the responsible party

Section 10. Prior Ordinances

All prior ordinances or parts thereof, in conflict with the terms of this ordinance are deemed rescinded. Specifically, Ordinance 26b of 1913 is rescinded.

Section 11. Severability

Each provision of this ordinance is declared to be separable and severable, and a judicial determination that any such provision is invalid or unenforceable, shall not affect the enforceability of any other ordinance, section, subsection or provision hereof.

Section 12. Effective Date

This ordinance shall become effective upon the twentieth day following its adoption or the date of its publication, whichever occurs first.

At a regular meeting of the Village Council for the Village of Empire held on the 28th day of May, 2013, Lanny Sterling moved for the adoption of the foregoing ordinance and Gerry Shiffman supported the motion.

Voting for: Lanny Sterling, Dan Davis, Gerry Shiffman, Cile Plumstead and Susan Carpenter

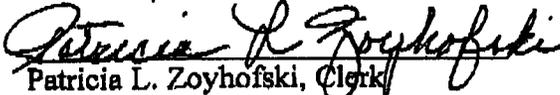
Voting against: Sam Barr and Karen Baja

The Village President declared the ordinance adopted.


Susan A. Carpenter, Village President

CERTIFICATION

The foregoing is a true copy of Ordinance No. 138 which was enacted by the Village Council for the Village of Empire at a regular meeting held on May 28, 2013.


Patricia L. Zoyhofski, Clerk

Village of Northport
Consumer Fireworks Ordinance
Ordinance 105
Adopted 6/6/2014

AN ORDINANCE PURSUANT TO ACT 256 OF THE PUBLIC ACTS OF 2011, AS AMENDED, AND PURSUANT TO ACT 3 OF THE PUBLIC ACTS OF 1895, AS AMENDED, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE ON DAYS OTHER THAN THE DAY PRECEDING, THE DAY OF, OR THE DAY AFTER A NATIONAL HOLIDAY, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE BETWEEN 1 A.M. AND 8 A.M ON THE DAY PRECEDING, THE DAY OF AND THE DAY AFTER A NATIONAL HOLIDAY, TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE VILLAGE OF NORTHPORT ORDAINS:

Section 1. Findings

The Northport Village Council makes the following findings: Public Act of 1895 authorizes the Village of Northport to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, et seq.) authorizes the Village of Northport to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Northport Village Council hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within the Village of Northport.

Section 2. Title

This Ordinance shall be known as the Village of Northport Consumer Fireworks Ordinance.

Section 3. Definitions. As used in this ordinance.

"Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low impact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87.1, 3.1, 3.1.1 to 3.2.2.8. and 3.5.

"National holiday" means those days specified as a national holiday in 5 USC 6103, being: New Year's Day (January 1); Martin Luther King, Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

Section 4. Ignition, Discharge, and Use of Consumer Fireworks.

(a). No person shall ignite, discharge, or use consumer fireworks within the Village of Northport on any day that is not the day preceding, the day of, or the day after a national holiday.

(b). No person shall ignite, discharge, or use consumer fireworks within the Village of Northport between the hours of 1 a.m. and 8 a.m. on the day preceding, the day of, and the day after a national holiday.

Section 5. Penalty/Civil Infraction

Any person who violates any provision of this Ordinance shall be responsible for municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 6. Enforcement

The Leelanau County Sheriff's Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 7. Nuisance

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 8. Injunctive Relief.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminated the nuisance per se or any other violation of this Ordinance.

Section 9. Validity

If any section provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 10. Effective Date

This ordinance shall become effective twenty (20) days after its enactment.

VILLAGE OF NORTHPORT

By: _____
Barbara Von Voigtlander, President

By: _____
Joni Scott, Clerk

Village of Northport
Consumer Fireworks Ordinance
Ordinance 105
Adopted 6/6/2014

AN ORDINANCE PURSUANT TO ACT 256 OF THE PUBLIC ACTS OF 2011, AS AMENDED, AND PURSUANT TO ACT 3 OF THE PUBLIC ACTS OF 1895, AS AMENDED, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE ON DAYS OTHER THAN THE DAY PRECEDING, THE DAY OF, OR THE DAY AFTER A NATIONAL HOLIDAY, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE BETWEEN 1 A.M. AND 8 A.M. ON THE DAY PRECEDING, THE DAY OF AND THE DAY AFTER A NATIONAL HOLIDAY, TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE VILLAGE OF NORTHPORT ORDAINS:

Section 1. Findings

The Northport Village Council makes the following findings: Public Act of 1895 authorizes the Village of Northport to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, et seq.) authorizes the Village of Northport to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Northport Village Council hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within the Village of Northport.

Section 2. Title

This Ordinance shall be known as the Village of Northport Consumer Fireworks Ordinance.

Section 3. Definitions. As used in this ordinance.

“Consumer fireworks” means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low impact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87.1, 3.1, 3.1.1 to 3.2.2.8, and 3.5.

"National holiday" means those days specified as a national holiday in 5 USC 6103, being: New Year's Day (January 1); Martin Luther King, Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

Section 4. Ignition, Discharge, and Use of Consumer Fireworks.

(a). No person shall ignite, discharge, or use consumer fireworks within the Village of Northport on any day that is not the day preceding, the day of, or the day after a national holiday.

(b). No person shall ignite, discharge, or use consumer fireworks within the Village of Northport between the hours of 1 a.m. and 8 a.m. on the day preceding, the day of, and the day after a national holiday.

Section 5. Penalty/Civil Infraction

Any person who violates any provision of this Ordinance shall be responsible for municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 6. Enforcement

The Leelanau County Sheriff's Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 7. Nuisance

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 8. Injunctive Relief.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminated the nuisance per se or any other violation of this Ordinance.

Section 9. Validity

If any section provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 10. Effective Date

This ordinance shall become effective twenty (20) days after its enactment.

VILLAGE OF NORTHPORT

By: *Barbara Von Voigtlander*
Barbara Von Voigtlander, President

By: *Joni Scott*
Joni Scott, Clerk

**VILLAGE OF SUTTONS BAY
CONSUMER FIREWORKS ORDINANCE
Ordinance No. 3 of 2013**

AN ORDINANCE PURSUANT TO ACT 256 OF THE PUBLIC ACTS OF 2011, AS AMENDED, AND PURSUANT TO ACT 3 OF THE PUBLIC ACTS OF 1895, AS AMENDED, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE ON DAYS OTHER THAN THE DAY PRECEDING, THE DAY OF, OR THE DAY AFTER A NATIONAL HOLIDAY, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE BETWEEN 1 A.M. AND 8 A.M. ON THE DAY PRECEDING, THE DAY OF, AND THE DAY AFTER A NATIONAL HOLIDAY, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE VILLAGE OF SUTTONS BAY ORDAINS:

Section 1. Findings.

The Suttons Bay Village Council makes the following findings: Public Act 3 of 1895 authorizes The Village of Suttons Bay to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes the Village of Suttons Bay to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Suttons Bay Village Council hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within the Village of Suttons Bay.

Section 2. Title.

This Ordinance shall be known as the Village of Suttons Bay Consumer Fireworks Ordinance.

Section 3. Definitions. As used in this Ordinance,

"Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

"National holiday" means those days specified as a national holiday in 5 USC 6103, being: New Year's Day (January 1); Martin Luther King, Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

Section 4. Ignition, Discharge, and Use of Consumer Fireworks.

- (a). No person shall ignite, discharge, or use consumer fireworks within the Village of Suttons Bay on any day that is not the day preceding, the day of, or the day after a national holiday.
- (b). No person shall ignite, discharge, or use consumer fireworks within the Village of Suttons Bay between the hours of 1 a.m. and 8 a.m. on the day preceding, the day of, and the day after a national holiday.

Section 5. Penalty/Civil Infraction.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 6. Enforcement.

The Village Manager, other persons designated by the Village Council, and officers of the Suttons Bay Police Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 7. Nuisance.

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 8. Injunctive Relief.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

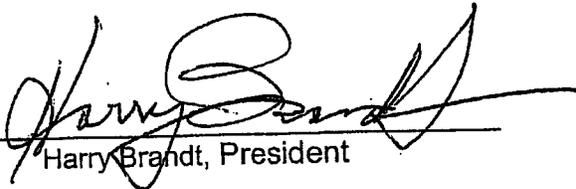
Section 9. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 10. Effective Date.

This Ordinance shall become effective twenty (20) days after its enactment.

VILLAGE OF SUTTONS BAY

By: 
Harry Brandt, President

By: 
Dorothy Petroskey, Clerk