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January 31, 2019

VIA ELECTRONIC MAIL

Mayor Bryan Barnett
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: ***Fireworks***

Dear Mayor Barnett:

As you know, the State Legislature changed the law in 2012 to preempt Michigan municipalities from prohibiting use of consumer-grade fireworks on the day of, day before, and day after any national holiday. With 10 recognized national holidays, this resulted in 30 days every year when fireworks can lawfully be used in the City. But, at the end of the last state legislature term, Governor Snyder signed into law 2018 PA 633-635, which amends the Michigan fireworks law to partially restore local authority over use of fireworks by authorizing municipalities to reduce the number of days and the hours that fireworks may be lawfully used. Under the newly-amended law, municipalities may, by local ordinance, ban fireworks except for 12 days of the year. The new law also grants slightly more authority to municipalities to regulate how late fireworks may be shot off. Unfortunately, though, even under the amended state law, we still remain largely preempted from prohibiting fireworks between June 29 – July 5, which, of course, is the peak time for fireworks.

I have enclosed a proposed ordinance to implement this partially restored authority to shrink the number of days and hours fireworks may be lawfully used. This proposed ordinance restricts fireworks use to the maximum extent the amended state fireworks law enables. If satisfactory, this proposed ordinance may be submitted to City Council for adoption.

Very truly yours,



John D. Staran

JDS/ijd

Enclosure

cc: Mr. Mark Tisdell, City Council President
Mr. Scott Cope, Building Director
Chief Sean Canto, Fire Department
Captain Michael Johnson, OCSO