



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.
Rochester Hills, MI 48309
248.656.4630
www.rochesterhills.org

Legislative File No: 2013-0243

TO: Mayor and City Council Members
FROM: John Staran, City Attorney
DATE: June 19, 2013
SUBJECT: Request for Adoption of Emergency Ordinance to amend the City's Fireworks Ordinance

REQUEST:

City Council is asked to consider for immediate adoption a proposed ordinance to amend the City's fireworks ordinance, Sec. 58-58 of the City Code, to prohibit ignition, discharge and use of consumer fireworks during certain hours on the days consumer fireworks may be legally used.

BACKGROUND:

Under the Michigan Fireworks Safety Act that went into effect last year, consumer fireworks may legally be used on the day of, day before and day after a national holiday, and are not subject to local regulation. The Act has been amended by Public Act 65 of 2013 (a/k/a Enrolled House Bill No. 4743) (copy attached), which was signed into law on June 19, 2013 with immediate effect. PA 65 amends the Fireworks Safety Act to authorize local governments to adopt ordinances to regulate the use of consumer fireworks during certain nighttime hours on the day of, day before and day after a national holiday. Those hours are between midnight – 8 a.m., or between 1 a.m. – 8 a.m. on New Year's Day. In order to meet newspaper publication requirements and place the ordinance in effect for Independence Day, the ordinance has been drafted for adoption as an emergency ordinance affecting the health, safety and general welfare of the City. Under City Charter Sec. 2.1., emergency ordinances may be finally adopted on a single reading.

RECOMMENDATION:

It is recommended that the ordinance be adopted as an emergency ordinance at the regular City Council meeting on June 24, 2013.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		