

## ORDINANCE NO. 5268

### AN ORDINANCE TO AMEND THE INTERNATIONAL FIRE CODE TO ALLOW NOVELTY FIREWORKS BY ADDING SECTION 8.24.020 TO CHAPTER 8.24 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City of Rapid City has previously adopted the 2003 International Fire Code which prohibits all fireworks, including novelty fireworks, within the City of Rapid City;

WHEREAS, the City of Rapid City previously allowed Novelty Fireworks under previous ordinances; and

WHEREAS, the City of Rapid City deems it in the best interest of the City to amend the 2003 International Fire Code in order to allow Novelty Fireworks;

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that the 2003 International Fire Code is amended by adding Section 8.24.020 of Chapter 8.24 of the Rapid City Municipal Code be and hereby is added to read as follows:

**8.24.20 IFC Chapter 33, Section 3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

#### **Exceptions:**

1. Storage and handling of fireworks as permitted in Section 3304.
2. Manufacture, assembly and testing of fireworks as permitted in Section 3305.
3. The use of fireworks for display as permitted in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable local or state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49CFR, Parts 100-178, for consumer fireworks.
5. The sale or Use of Novelty fireworks within the City or within one (1) Mile of the City are permitted. These include:
  - A. Party Poppers (not to exceed 0.25 grain)
  - B. Snappers (not to exceed 0.02 grain)
  - C. Sparklers (not to exceed 3.5 oz)
  - D. Toy Caps (not to exceed 0.25 grain)
  - E. Flitter Sparklers (not to exceed 0.2 oz).
  - F. Other consumer fireworks as enumerated in Chapter 3 of the American Pyrotechnics Association Inc., Standard 87-1, 1993 edition.

CITY OF RAPID CITY

---

Mayor

ATTEST:

---

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: