

ORDINANCE # 5725

**AN ORDINANCE CLARIFYING THE PERMISSIBLE FIREWORKS
IN THE CITY OF RAPID CITY BY AMENDING
SECTION 8.24.020 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City recognizes the fire and safety hazards associated with fireworks; and

WHEREAS, the City of Rapid City currently prohibits the possession, manufacture, storage, sale and handling of fireworks, with limited exceptions; and

WHEREAS, the City of Rapid City deems its fireworks prohibition to promote public health, safety, and morals; and

WHEREAS, the City of Rapid City deems it necessary to clarify the fireworks prohibition to limit the possession, manufacture, storage, sale and handling of fireworks to certain novelty fireworks.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that section 8.24.020 of the Rapid City Municipal Code is amended in its entirety to read as follows:

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 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 49 CFR, Parts 100-178, for consumer fireworks.
5. The sale or use of certain novelty fireworks within the city or within 1 mile of the city are permitted, and are limited to the following: ~~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.~~

Any person violating this chapter shall be subject to the general penalty provision of § 1.12.010.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: