

**TOWNSHIP OF CANNON**  
**COUNTY OF KENT, MICHIGAN**

At a regular meeting of the Township Board of the Township of Cannon, Kent County, Michigan, held in the Cannon Township Center, 6878 Belding Road, in said Township, on the 23rd day of June, 2014, at 7:00 p.m.

PRESENT: Betten, Blackledge, Davies, Diepenhorst, Grimm, Warmbier

ABSENT: McBrien

The following Ordinance was offered by Member Diepenhorst, and seconded by Member Betten.

**ORDINANCE NO. 2014-4**

**AN ORDINANCE TO REGULATE THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS; TO AUTHORIZE PERMITS FOR THE USE OF DISPLAY FIREWORKS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF**

THE TOWNSHIP OF CANNON ORDAINS:

**SECTION 1 DEFINITIONS.**

The following words and terms used in this Ordinance are defined as follows:

- (a) "Act 256" means the Michigan Fireworks Safety Act, Act 256 of 2011, as amended.
- (b) "Consumer fireworks" means that term as defined in Act 256.
- (c) "Display fireworks" means that term as defined in Act 256.
- (d) "National holiday" means the following public holidays established by U.S. law:
  - (1) New Year's Day
  - (2) Birthday of Martin Luther King
  - (3) Washington's Birthday
  - (4) Memorial Day
  - (5) Independence Day
  - (6) Labor Day

- (7) Columbus Day
  - (8) Veterans Day
  - (9) Thanksgiving Day
  - (10) Christmas Day
- (e) "Person" means that term as defined in Act 256.

**SECTION 2 USE OF CONSUMER FIREWORKS.**

- (a) A person may not ignite, discharge, or use consumer fireworks in the Township on the day preceding, the day of, or the day after a national holiday between the hours of 1:00 a.m. and 8:00 a.m. On any other day, no person may ignite, discharge or use consumer fireworks in the Township between the hours of 11:00 p.m. and 11:00 a.m.
- (b) Consumer fireworks shall not be used if a burn ban is in effect.
- (c) No person shall endanger the life, health or safety of any other person by displaying or discharging of any fireworks.
- (d) On land, no person shall, at any time, ignite, discharge, use or display, any fireworks upon or within 15 feet of another person's property without such property owner's permission. If offshore, no person shall, at any time, ignite, discharge, use or display, any fireworks within 15 feet of the shoreline at the ordinary high water mark of another person's property, without such property owner's permission.
- (e) 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's or organization's express permission to use the consumer fireworks on those premises. No person shall ignite, discharge, or use consumer fireworks on Township property.
- (f) A person shall not use consumer fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance.

**SECTION 3 PERMIT TO USE DISPLAY FIREWORKS; APPLICATION; INSURANCE.**

No person shall use display fireworks within the Township for public or private display without first obtaining a permit from the Township. A person who desires such a permit shall complete an application on a form provided by the State department of licensing and regulatory affairs. The applicant shall furnish proof of financial responsibility by a bond or insurance policy in an amount, character, and form necessary to satisfy claims for

damages to persons or property in connection with the use of display fireworks, as determined by the Township Board.

**SECTION 4 PENALTY.**

- (a) A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$100, and not more than \$500, in the discretion of the court, and in addition to all other costs, damages, and expenses (including actual attorney fees) incurred in enforcing the Ordinance.
- (b) The following persons may issue a municipal civil infraction citation for a violation of this Ordinance:
  - (1) Township Supervisor.
  - (2) Township Code Enforcement Officer.
  - (3) Township Fire Chief.
  - (4) Township Deputy Fire Chief.
  - (5) A law enforcement officer of the Kent County Sheriff's Department or the Michigan State Police.

**SECTION 5 SEVERABILITY.**

This Ordinance and the sections and subsections thereof are severable. If any portion of this Ordinance is adjudged invalid, the remainder of the Ordinance shall not be affected thereby, but shall remain in full force and effect.

**SECTION 6 REPEAL.**

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

**SECTION 7 PUBLICATION AND EFFECTIVE DATE.**

This Ordinance or a summary of its regulatory effect shall be published in a newspaper of general circulation in the Township, within 30 days after adoption. The ordinance shall become effective 30 days after such publication.

AYES: Betten, Blackledge, Davies, Diepenhorst, Grimm, Warmbier

NAYS: 0

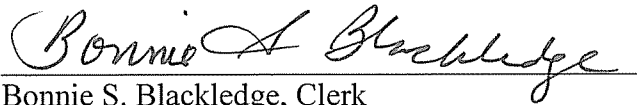
ABSENT: McBrien

ORDINANCE DECLARED ADOPTED.



Bonnie S. Blackledge, Clerk  
Township of Cannon

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Cannon at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Bonnie S. Blackledge, Clerk  
Township of Cannon