

## **Record of Ordinances**

**Ordinance No.: 2022-40**

**Passed: August 22, 2022**

### **AN ORDINANCE PROHIBITING THE DISCHARGE, IGNITING, OR EXPLODING OF FIREWORKS WITHIN THE VILLAGE OF WEST LAFAYETTE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, On October 27, 2021, the Ohio Legislature passed House Bill 172, permitting any non-prohibited persons to discharge, ignite, and/or explode Class 1.4G “consumer” fireworks on certain days of the year effective August 22, 2022; and

**WHEREAS**, said House Bill specifically permits chartered, Home Rule municipalities such as West Lafayette to opt-out of the new Ohio law and either ban or further limit the discharging, igniting, or exploding of fireworks in their ties: and

**WHEREAS**, The Council of the Village of West Lafayette believes that the health and safety of the citizens of the Village of West Lafayette would best be protected by opting out of the new Ohio law and banning the discharge, igniting, or exploding of fireworks within or above the geographic bounds of the village, including those explosives which originated outside the geographic bounds of the village, but through any circumstance draft above, or enters the air space above the village, even if they do not explode, except by licensed and authorized exhibitors.

Remote controlled aerial drones, robots, models, or other such property, which by virtue of its design is not meant to explode are not contemplated within this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL** of the Village of West Lafayette, Coshocton County, Ohio that:

**Section 1.** The Village of West Lafayette Enacts as follows:

**FIREWORKS POSSESSION, SALE or DISCHARGE PROHIBITED; EXCEPTIONS**

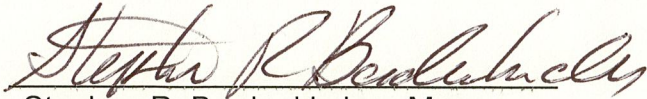
- (a) No person shall possess fireworks in the village for sale or sell fireworks in the village, except a licensed manufacturer of fireworks as authorized by Ohio R.C. 3743.02 to 3743.08, a licensed wholesaler of fireworks as authorized by Ohio R.C. 3743.15 to 3743.21, a licensed exhibitor of fireworks as authorized by Ohio R.C. 3743.50 to 3743.55, and except as provided in Ohio R.C. 3743.80.
- (b) Except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55, except for those devices specifically permitted in Ohio R.C. 3743.80, no person shall discharge, ignite, or explode any fireworks within the Village.
- (c) No person shall use in a theater or public hall, what is technically known as fireworks shower, or a mixture containing potassium chlorate and Sulphur.
- (d) No person shall sell fireworks of any kind to a person under 18 years of age.
- (e) Whoever violates (a)-(d) of this provision of this section is guilty of a misdemeanor of the fourth degree for the first offense. All subsequent offences shall be a misdemeanor of the first degree.

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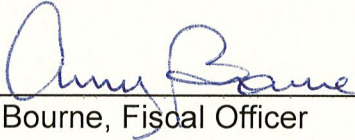
**Passed: August 22, 2022**

PASSED IN COUNCIL THIS 22 day of August, 2022



Stephen R. Bordenkircher, Mayor

ATTEST:



Amy Bourne, Fiscal Officer