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**ORDINANCE NO. 957**

**AN ORDINANCE AMENDING ORDINANCE NO. 889 TO DEFINE THE TERM  
"FIREWORKS"; TO DEFINE THE TERM "PERMISSIBLE FIREWORKS"; TO  
PROHIBIT THE STORAGE, POSSESSION, DISCHARGE, OR SALE OF FIREWORKS  
WITHIN CITY LIMITS; TO CREATE EXCEPTIONS TO THE PROHIBITION ON THE  
STORAGE, POSSESSION, OR DISCHARGE OF FIREWORKS WITHIN CITY LIMITS;  
AND TO PROVIDE A PENALTY FOR A VIOLATION THEREOF, THEREBY  
AMENDING SEC. 14-14 OF THE CODE OF ORDINANCES OF THE CITY OF  
GLASGOW, MONTANA**

BE IT ORDAINED by the City Council of the City of Glasgow, Montana:

That Ordinance No. 889 be amended by enactment of the following provisions:

**Section 1: Definitions:**

1. The term "fireworks" means any combustible or explosive composition or any substance, combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation and includes sky rockets, roman candles, daygo bombs, blank cartridges, toy cannons, toy canes, or toy guns in which explosives other than toy paper caps are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, sparklers or other fireworks of like construction, any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance.

2. Permissible fireworks, excluding sky rockets, roman candles, and bottle rockets, include and are limited to those that meet the definition of "common fireworks" as set forth in the U.S. department of transportation's Hazardous Materials Regulations, 49 CFR, parts 173.88 and 173.100, as they read on January 1, 1985, and that comply with the construction, chemical composition, and labeling regulations of the U.S. consumer product safety commission, as set forth in 16 CFR, part 1507, as it read on January 1, 1985.

**Section 2: Storage, possession, discharge, and sale of fireworks.**

1 1. It shall be unlawful for any person to store, possess, fire, set off, explode, or discharge  
2 any firework within the city limits.

3 2. It shall be unlawful for any individual, firm, partnership, cooperation, or association  
4 to possess fireworks for sale within the city limits.  
5

6 **Section 3: Exceptions:** The use of fireworks are prohibited within the city limits under the  
7 following terms and anyone who participates in this exception and/or allows fireworks on or near  
8 their property shall be responsible for any garbage, fire, and/or projectiles associated with the  
9 fireworks.

10 1. From the period of June 24<sup>th</sup>- July 5<sup>th</sup> each year, possession and storage of fireworks  
11 shall be allowed within the city limits.

12 2. From the period of July 3<sup>rd</sup>- July 5<sup>th</sup> each year, permissible fireworks may be fired, set  
13 off, exploded, or discharged within the city limits, but aerial projectiles may not have the  
14 ability to exceed 10 feet in the air. The purpose of this section is to include fountains, but  
15 not other aerial fireworks. The use of fireworks shall be permitted between the hours of  
16 12:30 PM and 12:30 AM each day.  
17

18 3. For the 12-hour period from 12:30 PM on December 31<sup>st</sup> through 12:30 AM of Janu-  
19 ary 1<sup>st</sup> of each year, permissible fireworks may be fired, set off, exploded, or discharged  
20 within the city limits, but aerial projectiles may not have the ability to exceed 10 feet in  
21 the air.  
22

23 **Section 4: Violation/Fines:** Any person, firm, partnership, association, or corporation violat-  
24 ing the provisions of this code shall be guilty of a misdemeanor, and upon conviction shall be  
25 punished by a fine of not less than \$100.00 or more than \$500.00 for each violation or, in the case of  
26 individuals, the members of a partnership, and the responsible officers and agents of an association  
27

1 or corporation, by imprisonment in the county jail for a period of not less than 30 days or more than  
2 6 months, or by both such fine and imprisonment, and restitution for damages caused.

3 Repealer

4 **Section 5:** All resolutions, ordinances and sections of the Municipal Code and parts thereof  
5 in conflict herewith are hereby repealed.

6 Severability

7 **Section 6:** If any section, subsection, sentence, clause, phrase or word of this ordinance is for  
8 any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the  
9 remaining portions of this ordinance. The Council hereby declares that it would have passed this  
10 ordinance and each section, subsection, sentence, clause, phrase, and words thereof irrespective of  
11 the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been  
12 declared invalid or unconstitutional, and if for any reason any provision of this ordinance should be  
13 declared invalid or unconstitutional, then the remaining ordinance provision will be in full force and  
14 effect.  
15

16 Effective Date

17 **Section 7:** This ordinance shall be in full force and effect thirty days after passage on second  
18 reading.  
19

20 **Section 8:** Editor to re-arrange Chapter. The Editor, Municipal Code Corporation, is hereby  
21 authorized to re-number and re-arrange Chapter 14 of the Code of Ordinances of the City of  
22 Glasgow, as in its discretion it deems appropriate.  
23

24 References


25 Glasgow City Code; Chptr. 14, Sec. 14-14; Ord. No. 350, §§1 and 2, 5-31-34; Ord. No. 751,  
26 §5, 7-11-73; Ord. No. 889, §5, 6-21-93.  
27

1 FIRST PASSED AND APPROVED by the City Council of the City of Glasgow, Montana, at  
2 a regular session thereof held on the 15 day of May, 2017.

3 APPROVED:  
4   
5 BECKY ERICKSON, Mayor

6 ATTEST:  
7   
8 STACEY A. AMUNDSON  
9 City Clerk-Treasurer

10 FINALLY PASSED AND APPROVED by the City Council of the City of Glasgow, Mon-  
11 tana, at a regular session thereof held on the 30 day of May, 2017.

12 APPROVED:  
13   
14 BECKY ERICKSON, Mayor

15 ATTEST:  
16   
17 STACEY A. AMUNDSON  
18 City Clerk-Treasurer