

**41.11 FIREWORKS IN ROBINS. (Ord. 1804, 7/16/18)**

1. Definitions:
  - A. "Consumer Fireworks" means first-class consumer fireworks and second-class consumer fireworks as those terms are defined in subparagraphs (B) and (C) below.
  - B. "First-class Consumer Fireworks" means the following fireworks, as described in APA standard 87-1, Chapter 3:
    - (1) Aerial shell kits and reloadable tubes
    - (2) Chasers
    - (3) Helicopters and aerial spinners
    - (4) Firecrackers
    - (5) Mine and shell devices
    - (6) Missile-type rockets
    - (7) Roman Candles
    - (8) Sky Rockets and bottle rockets
    - (9) Multiple tube devices under this paragraph (3) that are manufactured in accordance with APA standard 87-1, Section 3.5.
  - C. "Second Class" consumer fireworks means the following consumer fireworks, as described in APA standard 87-1, chapter 3:
    - (1) Cone fountains
    - (2) Cylindrical fountains
    - (3) Flitter sparklers
    - (4) Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA standard 87-1, section 3.5
    - (5) Ground spinners
    - (6) Illuminating torches
    - (7) Toy smoke devices that are not classified as novelties pursuant to APA standard 87-1, section 3.2
    - (8) Wheels
    - (9) Wire or dipped sparklers that are not classified as novelties pursuant to APA standard 87-1, section 3.2
  - D. "Display Fireworks" means any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect.
  - E. "Novelties" means all novelties enumerated in chapter 3 of the APA's standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission. Novelties include party poppers, snappers, toy smoke devices, snakes and glow worms, and wire sparklers as defined in APA standard 87-1, section 3.2.
2. Possession and Use of Fireworks.
  1. It is unlawful for any person to possess, store, use, ignite or explode any fireworks not permitted by State law within the City Limits (Display Fireworks), unless that person is the holder of a valid permit or license therefore or an employee of such permittee or licensee.
  2. It is unlawful for any person to use, ignite or explode any Consumer Fireworks except those items defined as a novelty in the American

Pyrotechnics Association Standard 87-1 Chapter 3.2, within the City Limits except for on the following dates and times when it shall be lawful to use, ignite, or explode any fireworks permitted by State law (Consumer Fireworks):

- A. July 4<sup>th</sup> from 12:00 p.m. until 11:00 p.m.
- B. December 31<sup>st</sup> from 6:00 p.m. until 12:30 a.m. on January 1<sup>st</sup>.

3. Exceptions. Chapter 41.11 shall not apply to the use of blank cartridges for the show or theater, or for signal purposes in athletic sports or by railroads to trucks, for signal purposes, or by a recognized military organization. Nor shall this section apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

4. Display Fireworks. The Council may, upon application in writing, grant a permit for the use and explosion of Display Fireworks within the City Limits of the City of Robins, Iowa by municipalities, fair associations, schools, and other organizations or groups of individuals when the use and explosion of such display fireworks will be handled by a competent operator, and when the applicant has provided proof of liability insurance in the amounts set forth below as shown.

- A. Personal Injury: \$250,000.00 per person
- B. Property Damage: \$50,000.00
- C. Total Exposure: \$1,000,000.00

5. Violations. Violation of this section is a simple misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250.00).