

VILLAGE OF MORRICE
(Enacted August 13, 2019)
Resolution 19-02

RESOLUTION SETTING CONSUMER FIREWORKS ORDINANCE PENALTIES

WHEREAS, on August 13, 2019, the Village of Morrice passed Ordinance #19-02, titled “Consumer Fireworks Ordinance”, which authorizes and regulates the use of Consumer Fireworks within the Village of Morrice;

WHEREAS this Ordinance makes it a municipal civil infraction to violate Section 8 which outlines the dates and times of permitted use of fireworks in the Village, and any person responsible for such a violation shall pay a mandatory civil fine set by MCL 28.457 (3) of \$1,000.00 with \$500.00 of that fine collected to be remitted to the Morrice Police Department;

WHEREAS, this Ordinance also sets forth other violations with penalties and with fines to be set by resolution of the Village Council and the Council has determined to establish a schedule of fines to be charged those violations of the other provisions of this Consumer Fireworks Ordinance;

IT IS THEREFORE RESOLVED that the Village of Morrice establishes the following schedule of fines for violations of the Consumer Fireworks Ordinance:

1. **Section 5: Possession or Sale of Consumer of Display Fireworks by Minor:**

5(A). Any person who sells, gives, or provides consumer fireworks to a minor shall be responsible for a municipal civil infraction with a fine of \$250.00 plus any applicable court costs.

5(B). Any minor who possesses consumer or display fireworks shall be responsible for a municipal civil infraction with a fine of \$100.00 plus any applicable court costs.

2. **Section 6: Under the Influence of Alcoholic Liquor or Controlled Substances:**

Any person who is found to have discharged, ignited or used consumer or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and controlled substance is responsible for a municipal civil infraction with a fine of \$250.00 plus any applicable court costs.

3. **Section 7: Disturbing the Peace:**

7(A) Any individual who ignites, discharges, or uses consumer fireworks or low-impact fireworks in a manner that is intended to harass, scare, or injure livestock shall be responsible for a municipal civil infraction with a fine of \$250.00 plus any applicable court costs.

7(B) Any individual who uses consumer fireworks to intentionally frighten, intimidate, harass or disturb another person shall be responsible for a municipal civil infraction with a fine of \$500.00 plus any applicable court costs.

4. **Section 11: Other Violations**

11(B) A person who discharges consumer fireworks in such a manner so as remnants from consumer fireworks land on public property or the private property of another, including, but not limited to, hotel and motel property, apartment property, and condominium property, without the express permission of the person or organization lawfully possessing the private property shall be responsible for a municipal civil infraction with a fine of \$250.00 plus any applicable court costs.

11(C) Any individual who owns or is in charge of property who knowingly allows a person to ignite fireworks on the owner’s property or properties for which he or she is in charge of, in such a manner so as remnants land on another’s property, shall be responsible for a municipal civil infraction with a fine of \$250.00 plus any applicable court costs.

Adopted by the Village Council at a meeting held on the 13th day of August, 2019.