

## § 92.07 CONSUMER FIREWORKS.

(A) Consumer fire works shall only be used, ignited or discharged on the following days and hours:

- (1) Between the hours of 5:00 p.m. and two hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8 and July 9;
- (2) Between the hours of 10:00 a.m. and 12:00 a.m. (midnight) on July 4; and
- (3) Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

(B) That consumer fireworks used, ignited or discharged on any other day or hour except as specified in division (A) shall be a violation of this section.

(C) A violation of this section may be written- against a person or property owner.

(1) Person shall mean an individual, an association, an organization, a limited liability company, or a corporation.

(2) Property owner shall mean any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety of the whole or part of a building, a structure or land.

(D) (1) Any group or individual requesting the use of consumer fireworks on days and hours other than those previously regulated shall obtain permission from the Rochester Common Council at a publicly conducted meeting as required by the Open Door Law.

(2) Upon receiving approval from the Common Council, the group or individual shall pay to the Clerk-Treasurer a fee of \$25, which shall be deposited into the General Fund.

(E) Approval of the Common Council shall designate the specific dates and hours the consumer fireworks may be used.

(Ord. 05-2008, passed 6-24-08; Am. Ord. 04-2009, passed 3-10-09)

## § 92.99 PENALTY.

(A) That a violation of § 92.07 shall be subject to a fine in the amount of \$50 for the first offense, \$100.00 for the second offense, and \$300 for the third offense.

(B) That fines for the first three offenses as described above shall be paid to the Ordinance Violations Bureau.

(C) That a fourth offense or more may be filed within the county court of jurisdiction and subject the offender to the maximum fine allowed by law for an ordinance violation, and court costs.

(Ord. 05-2008, passed 6-24-08)