

ORDINANCE NO. 205

AN ORDINANCE PROHIBITING THE USE OF FIREWORKS IN THE CITY OF
UNIVERSITY HEIGHTS, IOWA, AND PROVIDING PENALTIES FOR
VIOLATIONS.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF UNIVERSITY
HEIGHTS, IOWA:

Section 1. DEFINITION. The term "fireworks" includes first-class consumer fireworks and second-class consumer fireworks as those terms are defined in Iowa Code § 100.19, subsection 1. The term "fireworks" includes "display fireworks" as that term is defined in Iowa Code § 727.2, subsection (c). The term "fireworks" does not include "novelties" as defined in Iowa Code § 727.2, subsection (c).

Section 2. PROHIBITION. It shall be unlawful for any person, firm, partnership, or corporation to use or explode any fireworks within the corporate limits of the City of University Heights.

Section 3. PENALTY. Any person, firm, partnership, or corporation found in violation of this ordinance shall be guilty of a simple misdemeanor punishable by a fine of \$250.00. The sentence imposed under this section shall not be suspended or deferred by the court, nor shall judgment be deferred, notwithstanding the provisions of Chapter 907 of the Code of Iowa, as amended, or any other provision of any other statute.

Section 4. SAVING CLAUSE. In the event any word, phrase, sentence, paragraph, or section contained in this Ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this Ordinance would have been enacted and remain in full force and effect.

Section 5. EFFECTIVE DATE. This Ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council this 23rd day of May, 2017, and approved this 23rd day of May, 2017.

/s/ _____
Louise From, Mayor

Attest: /s/ _____
Christine M. Anderson, City Clerk