

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.

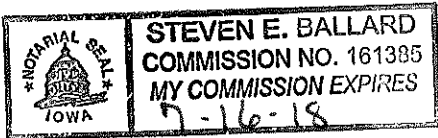
Adopted by the University Heights City Council this 23<sup>rd</sup> day  
of May, 2017, and approved this 23<sup>rd</sup> day of May,  
2017.

Louise A. From  
Louise From, Mayor

Attest: Christine M. Anderson  
Christine M. Anderson, City Clerk

STATE OF IOWA            )  
  )     SS:  
COUNTY OF JOHNSON    )

On this 23<sup>rd</sup> day of May, 2017, before me, a notary public in and for the state of Iowa, personally appeared Louise From and Christine M. Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Louise From and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.



[Signature]  
Notary Public in and for the  
State of Iowa

STATE OF IOWA            )  
  )     SS:  
COUNTY OF JOHNSON    )

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 30<sup>th</sup> day of May, 2017.

Christine M. Anderson  
Christine M. Anderson  
City Clerk

Signed and sworn to before me on the 30<sup>th</sup> day of May, 2017, by Christine Anderson, Clerk of the City of University Heights.

[Signature]

Notary Public in and for the  
State of Iowa