

CITY OF MERRILL, IOWA
ORDINANCE NO. 2023-3
CHAPTER 41

AN ORDINANCE OF THE CITY OF MERRILL, IOWA,
CLARIFYING THE SALE AND USE OF
FIREWORKS WITHIN THE CITY OF MERRILL, IOWA

BE IT ENACTED by the City Council of the City of Merrill, Iowa:

CHAPTER 41, Public Health and Safety, is hereby amended such that Section 41.13, FIREWORKS, is amended to include provisions governing sales and discharging of fireworks in the City of Merrill, Iowa, as follows:

SECTION ONE

41.13 (01) PURPOSE. The purpose of this chapter is to define the sale and use of fireworks within the City. Except as otherwise provided in this chapter, the sale and use of fireworks within the City shall be in accordance with Code of Iowa Section 727.2, as amended.

41.13 (02) SALES. All sites for the sale of consumer fireworks within the City shall be in accordance with the Code of Iowa and further defined as follows:

1. Sales of consumer fireworks may only occur from June 1 through July 8 and December 10 through January 3.
2. A person shall possess and provide proof of a consumer fireworks seller license issued by the State Fire Marshall.
3. A person shall obtain and provide proof of general liability insurance with a minimum of one million dollars per occurrence and aggregate coverage of at least two million dollars.
4. A person shall obtain a permit from the City prior to selling.
5. All permitted sites shall comply with City building, fire and zoning codes.

41.13 (03) DISCHARGING. It shall be unlawful for any person to use fireworks in the City without complying with the Code of Iowa and further restricted as follows:

1. The discharging of fireworks may only occur during the following dates and times:
 - A. July 3 and July 4 from 1:00 p.m. to 11:00 p.m. each day;
 - B. December 31 from 6:00 p.m. to 12:30 a.m.
2. Fireworks shall only be discharged on a person's real property or on a person's real property who has consented to the discharging of the fireworks.
3. A person shall not discharge fireworks in any parks, public property, buildings, or right of way.
4. Any person discharging fireworks assumes all responsibilities for its operation and the consequences thereof. No person shall discharge fireworks in a reckless manner or manner likely to cause death, injury, fire, or property damage, harassment or at a time and place that unreasonably interferes with public events.

5. Debris from firework displays must be picked up and safely removed from the location of the display discharge within two hours of the discharge of fireworks.

6. The discharging of fireworks may be suspended by the City during a burning ban or times when dry conditions exist.

SECTION TWO. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION THREE. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance, as modified and added to shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION FOUR. WHEN EFFECTIVE. This Ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council of the City of Merrill, Iowa, the 18th day of September, 2023.

APPROVED this 18th day of September, 2023.

CITY OF MERRILL, IOWA

ATTEST:

BY: 
BRUCE NORGAARD, MAYOR



ANGELA GRAY, CITY CLERK

First Reading: 09 / 18 / 2023
Second Reading: / / 2023 Waived 09/18/2023
Third Reading: / / 2023 Waived 09/18/2023

I CERTIFY that the foregoing is published as Ordinance No. 2023-3 on the 18th day of September, 2023.



ANGELA GRAY, CITY CLERK