

## **BILL NO. 20-70**

---

AN ORDINANCE AMENDING CHAPTER 13 FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI TO MODIFY ARTICLE III. *FIRE CODE*, SECTION 13-44 AMENDMENTS, FIRE CODE SECTION 5601.1.3 FIREWORKS, ITEM 6 TO MODIFY THE DATES AND TIMES FOR THE DISCHARGE OF APPROVED CONSUMER FIREWORKS WITHIN THE CORPORATE CITY LIMITS.

WHEREAS, the 2018 Edition of the International Fire Code, as revised was adopted as by the City Council as the City's Fire Code; and,

WHEREAS, testimony was provided by the fire department to the Community Economic Development Committee regarding the City's Fire Code, Section 5601.1.3 Fireworks, Item 6 in regards to the allowed dates for the discharge of approved 1.4G (consumer ) fireworks; and,

WHEREAS, based on staff reports and public comment, the City Council desires to protect the public health, safety, and welfare by amending Chapter 13 – Fire Prevention and Protection of the Code of Ordinances of the City of Lee's Summit by amending Article III Fire Code, Section 13-44 *Same-Amendments*, Fire Code Section 5601.1.3 Fireworks, Item 6, and enacting a new Fire Code Section 5601.1.3 Fireworks, Item 6 pertaining to the same subject matter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 13 - *Fire Prevention and of the Code* of Ordinances of the City of Lee's Summit is hereby amended by repealing Article III Fire Code, Section 13-44 *Same-Amendments*, Fire Code Section 5601.1.3 Fireworks, Item 6, and enacting a new Fire Code Section 5601.1.3 Fireworks, Item 6 pertaining to the same subject matter, to read as follows:

Sec. 13-44. Same – Amendments.

The International Fire Code, 2018 Edition, is amended in the following respects:

*Explosives and Fireworks*

*Section 5601.1.3*, Item 6 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the corporate limits of the city, except as follows:

6. The use of Division 1.4G fireworks within the city limits shall only be permitted on July 2 and 3 of each year between the hours of 10:00 a.m. and 11:00 p.m., on July 4 of each year between the hours of 10:00 a.m. and Midnight, unless modified by the *fire code official* and the *city manager* to allow for the discharge of fireworks for three days including July 4, based on how the holiday falls around a weekend. The days of discharge shall be determined by April 1 of each year.

**BILL NO. 20-70**

---

SECTION 2. That it is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECTION 3. That if any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: Penalty Clause. Any person found guilty of violating this ordinance shall be penalized in accordance with Section 1-13 A. of the Municipal Code of the City of Lee's Summit.

SECTION 5. That this ordinance shall be in full force and effect from and after April 1, 2020 and upon approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
*Mayor William H. Baird*

ATTEST:

\_\_\_\_\_  
*City Clerk Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
*Mayor William H. Baird*

ATTEST:

\_\_\_\_\_  
*City Clerk Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
*City Attorney Brian W. Head*