

TOWNSHIP OF ACME - NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the ACME TOWNSHIP BOARD OF TRUSTEES, at a meeting on August 14, 2012 at 7:00 p.m. in the Acme Township Hall, 6042 Acme Road, Williamsburg, Michigan 49690, adopted the Acme Township Consumer Fireworks Ordinance #2012-04. An Amendment to this ordinance was adopted by the Township Board on July 2, 2013, #2013-01. The full text of the ordinance is as follows:

ACME TOWNSHIP CONSUMER FIREWORKS ORDINANCE ORDINANCE NO: 2012-04 ORDINANCE AMENDMENT 2013-01

An Ordinance to secure the public health, safety and general welfare of the citizens of Acme Township, Grand Traverse County, Michigan, by regulating the use of Consumer Fireworks in Acme Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*).

ACME TOWNSHIP ORDAINS:

Section 1: Findings

The Township Board makes the following findings:

Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Acme Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Acme Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

Section 2: Title

This Ordinance shall be known and cited as the Acme Township Consumer Fireworks Ordinance.

Section 3: Definitions

The following definitions apply for purposes of this Ordinance:

- 1) Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.
- 2) National Holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day (January); Martin Luther King Jr. Day (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); Christmas Day (December 25).

Section 4: Ignition, Discharge, and Use of Consumer Fireworks

The ignition, discharge, and use of Consumer Fireworks in Acme Township is prohibited at all times except for the day preceding, the day of, or the day after a National Holiday.

- 1) *Hours of discharge: The discharge of fireworks shall be allowed between the hours of 8:00 a.m. through 1:00 a.m. (Added by Amendment 08-12-2013)*

Section 5: Severability

This Ordinance shall be deemed severable and if any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

Section 6: Penalty

A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of \$500.00 and court costs.

Section 7: Effective Date

This Ordinance shall take effect 30 days following publication in the Record Eagle News. This ordinance shall take full force and effect on October 13, 2012. This Amendment to Ordinance 2012-04 shall be effective 30 days following publication in the Record Eagle News. This Ordinance, 2013-01 shall take full force and effect on August 12, 2013.

CLERK'S CERTIFICATE

I, Cathy Dye, Township Clerk Of Acme Township, Grand Traverse County Michigan, hereby certify that at a regular meeting of the Township Board held on July 2, 2013, the Board adopted this amendment to Ordinance 2012-04, hereinbefore recorded AS 2013-01 to become effective Aug 12, 2013 and the members of the Board present at the meeting voted on the adoption of the Ordinance as follows:

All Ayes to adopt Ordinance


Cathy Dye, Clerk

 9/4/13
Jay B. Zollinger, Supervisor