



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1475-2022, **Version:** 1

BACKGROUND

This Ordinance reconstitutes a prohibition for any person to possess, discharge, ignite, or explode fireworks within the City of Columbus without express, written approval from the Columbus Division of Fire. While this prohibition on the possession and use of fireworks within the City of Columbus has been in place since 1995 as stated in the City Code, the passage of Ohio House Bill 172 has resulted in a need to repeal and replace Chapter 2533 of the Columbus City Codes to reconstitute this prohibition. Ohio House Bill 172 allows individuals to possess consumer-grade fireworks in Ohio, eliminating a requirement that purchasers transport consumer-grade fireworks out of the state within 48 hours of purchase, and allows any person authorized to possess consumer-grade fireworks to discharge them on their own property or on another person's property with permission on specifically outlined holidays. However, HB 172 also affords municipal governments authority to restrict the dates and times in which a person may discharge, ignite, or explode fireworks, and/or ban the possession, discharge, ignition, or explosion of fireworks within the confines of their municipal corporation limits. This Ordinance is a result of the City of Columbus exercising its authority to restrict the use of fireworks within the City of Columbus.

EMERGENCY DESIGNATION: Emergency legislation is requested to ensure that the Division of Fire's daily operation may continue uninterrupted, thereby preserving the public peace, property, health, safety, and welfare.

FISCAL IMPACT: No immediate fiscal impact to the City of Columbus.

To repeal and replace Chapter 2533-"Fireworks" of the Columbus City Codes to reconstitute the prohibition on the possession and use of fireworks and explosives within the City of Columbus; and to declare an emergency.

WHEREAS, a goal of the City of Columbus is to align Chapter 2533 of the Columbus City Codes with provisions set forth in Ohio House Bill 172 and Ohio Administrative Code Chapter 1301 to ensure members of the Division of Fire are granted authority to enforce provisions included therein; and

WHEREAS, the addition of language prohibiting the use of fireworks and explosives within the City of Columbus is necessary following the recent passage of Ohio House Bill 172, which affords municipal governments authority to restrict the dates and times in which a person may discharge, ignite, or explode fireworks, and/or ban the possession, discharge, ignition, or explosion of fireworks within the confines of their municipal corporation limits; and

WHEREAS, the repeal and replacement of Chapter 2533 of the Columbus City Codes is necessary to protect the health and safety of Columbus residents; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire such that it is immediately necessary to repeal and replace Chapter 2533 of the Columbus City Codes so that enforcement of this section may continue uninterrupted, thereby preserving the public peace, property, health, safety, and welfare; **NOW, THEREFORE.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the existing Chapter 2533-"Fireworks" of the Columbus City Codes is hereby repealed as outlined on

the attachment to this Ordinance.

SECTION 2. That Chapter 2533-“Explosives and Fireworks” of the Columbus City Codes is hereby enacted to read as shown on the attachment to this Ordinance.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.