City of Carroll

Brad Burke, Chief of Police **Police Department**

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-3536 FAX: (712) 792-8088

MEMO TO: Mike Pogge-Weaver, City Manager MPW

FROM: Brad Burke, Chief of Police BB

DATE: July 13, 2017

SUBJECT: Discussion on fireworks and City Ordinance 41.13

In the 2017 Iowa Legislative session, lawmakers approved the sale and use of fireworks during certain time frames. After this law change, the City of Carroll continued to prohibit the use of fireworks while allowing the sale. State law allows for the explosion of consumer fireworks from June 1 through July 8 and December 10 through January 3. During these dates consumer fireworks can be exploded from 9:00 am and 10:00 pm, except that on July 4 and the Saturdays and Sundays immediately preceding and following from 9:00 am to 11:00 pm and on December 31 from 9:00 am to 12:30 am the following day. Also on December 31 and the Saturdays and Sundays immediately preceding and following, consumer fireworks can be exploded between the hours of 9:00 am and 11:00 pm.

From June 1 through July 8, 2017, the Carroll Police Department responded to 102 calls for service of violation of chapter 41.13 which prohibits the explosion of consumer fireworks. Between December 10, 2017 and January 3, 2018, the Carroll Police Department responded to 1 call for service regarding the explosion of consumer fireworks.

Over the last few weeks I have reached out to different cities to see if they have made changes to their ordinances regarding the use of fireworks. Of the 9 cities I heard back from, four cities followed State law and have now changed their stance and prohibited the use with some exception that they allow on certain days. Many of which are allowing the use on July 3 and 4. Of the responding cities, none prohibited the use last year and have changed stance to allow them this year. One city that changed from following State law even added wording to their disorderly house ordinance which punishes the home owner for allowing the use on their property.

RECOMMENDATION: Discussion on the current City of Carroll Ordinance 41.13 and recommendations for the upcoming "fireworks season".