City of Carroll

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MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MJP-W

DATE: May 24, 2018

SUBJECT: Fireworks follow-up discussion

On May 14th the Council held a discussion on fireworks. At that time the consensus of the Council was to leave in place the current prohibition on the use of consumer fireworks in the City of Carroll.

The Council did request that the staff look into the possibility of requiring fireworks vendors in the City of Carroll to post a notice that the discharge of fireworks are illegal in the City of Carroll. After review by staff and the City Attorney we believe that this type of notice could run counter to Iowa Code 364.3(3)c which prohibits cities from setting standards or requirements regarding the sale or marketing of consumer merchandise that are different from, or in addition to, any requirement established by state. Due to this we are recommending against such a requirement at this time.

Staff will reach out to fireworks vendors in the City of Carroll and request they post such a notice voluntarily. Additionally, we are conducting outreach in this area with the placement of a notice on the May water bill, a flyer is being planned to be inserted in the June water bill, and we will continue to do outreach on this with local media and on social media.

RECOMMENDATION: Mayor and City Council consideration and possible approval of a resolution adopting the attached City Council Rules of Procedure.