

# ORDINANCE 2013- 515

AN ORDINANCE TO REGULATE THE USE OF FIREWORKS IN THE TOWN OF BATTLE GROUND PURSUANT TO INDIANA CODE.

Be it ordained by the Council of the Town of Battle Ground, Indiana, that ORDINANCE 2013-515 shall restrict the use of fireworks within the Town as follows:

## **Section 1. Definitions**

(a) Firework. The term “firework” shall be defined as provided in IC 22-11-14-1, as amended.

(b) Consumer firework. The term “consumer firework” shall be defined as provided in IC 22-11-14-1, as amended.

## **Section 2. Use or discharge of consumer fireworks prohibited except on certain dates and times.**

(a) This ordinance applies only to those areas within the municipal limits of the Town of Battle Ground.

(b) Consumer fireworks may only be used or discharged within the Town of Battle Ground, Indiana on the following dates and times, as provided in IC 22-11-14-10.5:

1. Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;
2. Between the hours of 10:00 a.m. and 12:00 midnight on July 4; and
3. Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

**Section 3. Enforcement.** The Town of Battle Ground Police Department is responsible for the interpretation and civil enforcement of this chapter.

## **Section 4. Seizure and forfeiture of consumer fireworks.**

Enforcement personnel the Town of Battle Ground Police Department may seize and dispose of consumer fireworks that are used in violation of this chapter.

## Section 5. Penalty.

In addition to the seizure and disposition of consumer fireworks that are used in violation of this ordinance, whoever violates any provision of this ordinance shall be fined not more than Fifty Dollars (\$ 50.00 ). A separate offense shall be deemed committed on each day that a violation occurs or continues.

INTRODUCED ON FIRST READING ON THE 9 DAY OF December , 2013.

DULY PASSED BY THE COMMON COUNCIL OF THE TOWN OF BATTLE GROUND, INDIANA, ON THE 9 DAY OF December , 2013, HAVING BEEN PASSED BY A VOTE AS FOLLOWS:

	AYE	NAY	ABSENT	ABSTAIN
Steve Egly Steve Egly, President	X			
Brian Brewer Brian Brewer	X			
Becky Holladay Becky Holladay	X			
Karen Pearson Karen Pearson	X			
Joe Bird Mike Bird	X			

Steve Egly  
Presiding Officer

Attest:

Phyllis Hall  
Phyllis Hall, Clerk-Treasurer

INTRODUCED FOR SECOND READING ON THE 13 DAY OF January , 2014.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF BATTLE GROUND, INDIANA, ON THE 13 DAY OF January , 2014, HAVING BEEN PASSED BY A VOTE AS FOLLOWS:

	AYE	NAY	ABSENT	ABSTAIN
Steve Egly Steve Egly, President	X			
Brian Brewer Brian Brewer	X			
Becky Holladay				

Becky Holladay	X			
Karen Pearson				
Joe Bird Mike Bird	X			

Steve Egly  
Presiding Officer

Attest:

Phyllis Hall  
Phyllis Hall, Clerk-Treasurer