

**CHARTER TOWNSHIP OF FILER  
MANISTEE COUNTY, MICHIGAN**

**AN ORDINANCE TO ADD CHAPTER 54 TO THE CHARTER TOWNSHIP OF FILER  
CODE OF ORDINANCES; TO PROHIBIT THE IGNITION, DISCHARGE AND USE  
OF CONSUMER FIREWORKS WITHIN THE TOWNSHIP EXCEPT ON CERTAIN  
DAYS; TO PROVIDE FOR PENALTIES FOR VIOLATION HEREOF; AND TO  
REPEAL ALL ORDINANCES IN CONFLICT HEREWITH**

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**THE CHARTER TOWNSHIP OF FILER ORDAINS:**

Section 1. New Chapter 54. The Charter Township of Filer Code of Ordinances (“Code”) is hereby amended by the addition of a new Chapter 54, which shall read, in its entirety, as follows, to-wit:

**CHAPTER 54 FIREWORKS**

**54.01 Definitions**

**54.02 Use of Consumer Fireworks Prohibited**

**54.03 Violation**

**54.01 Definitions**

Words and phrases used in this Chapter 54 shall have the meaning ascribed to them by 2011 PA 256, as amended, being MCL 28.451, *et seq.*, including the following:

A. “APA standard 87-1” means 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American pyrotechnics association of Bethesda, Maryland.

B. “Consumer fireworks” means 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.

C. “Low –impact fireworks” means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

**54.02 Use of Consumer Fireworks Prohibited**

No person shall ignite, discharge or use consumer fireworks within the Township. This prohibition shall not preclude any person from igniting, discharging or using consumer

fireworks on the day preceding, the day of or the day after a national holiday, except between the hours of 1:00 a.m. and 8:00 a.m. on the day preceding, the day of or the day after a national holiday, as authorized by 2011 PA 256, as amended.

**54.03 Violation**

Any person violating the provisions of this Chapter shall be guilty of a civil infraction and shall pay a civil fine of not more than Five Hundred Dollars (\$500.00) for each violation but no other penalty shall be imposed.

Section 2. Repeal All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but only to the extent of such conflict or inconsistency.

Section 3. Effective Date This Ordinance shall be effective upon its introduction, adoption and publication as required by law.

THOSE VOTING IN FAVOR:

THOSE VOTING AGAINST:

THOSE ABSENT OR ABSTAINING:

**ORDINANCE DECLARED PASSED.**

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Shirley Ball, Clerk

**CERTIFICATION**

I, Shirley Ball, Clerk of The Charter Township of Filer, Manistee County, Michigan, do hereby **certify** that the above is a true and correct copy of Ordinance of the Charter Township of Filer as adopted by The Charter Township of Filer Township Board at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2013.

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Shirley Ball, Clerk