

ORDINANCE 807

AN ORDINANCE AMENDING THE CAMANCHE, IOWA MUNICIPAL CODE OF ORDINANCES SECTION 3-1-5(6)(a)

Section 1. Purpose. The purpose of this ordinance is to align the City of Camanche's consumer fireworks ordinance with recent changes to state law regarding the use of consumer fireworks.

Section 2. Facts Found. The City Council of the City of Camanche, Iowa hereby makes the following findings of fact:

- A. Section 3-1-5(6)(a) of the Camanche Code of Ordinances only allows use of consumer fireworks on July 4th between 6:00 P.M. and 11:00 P.M.
- B. On May 19, 2025 Governor Kim Reynolds signed into law Senate File 303, an Act relating to county and city regulation of fireworks. Senate File 303 amended Iowa Code Sec. 364.2(6) to state that city councils can only regulate the use of consumer fireworks on days other than July 3, July 4, and December 31 in accordance with Iowa Code Sec. 727.2(4).
- C. Iowa Code Sec. 727.2(4) allows the use of consumer fireworks on January 1st between 12:00 A.M. and 12:30 A.M., on July 3rd between 9:00 A.M. and 10:00 P.M. (or between 9:00 A.M. and 11:00 P.M. if July 3rd falls on a Saturday or Sunday), on July 4th between 9:00 A.M. and 11:00 P.M., and on December 31st between 9:00 A.M. and 12:00 A.M.
- D. Section 3-1-5(6)(a) of the Camanche Code also does not specify whether consumer fireworks may be used on public property.
- E. Iowa Code Sec. 10A.511 allows the Director of the Department of Inspections, Appeals, and Licensing to order the suspension of use of consumer fireworks if the State Fire Marshal determines that such use constitutes a threat to public safety.
- F. Section 3-1-5(6)(a) of the Camanche Code of Ordinances should be amended to reflect the times when consumer fireworks may lawfully be used under Iowa law, and to clarify that use of consumer fireworks on public property is prohibited without City consent.

Section 3. Amendment. Section 3-1-5(6)(a) of the Camanche Code of Ordinances is hereby repealed in its entirety and replaced with the following:

- a. No person, firm, or corporation shall discharge or fire any cannon, gun, bomb, pistol, air gun, or other firearms (except for lawful hunting permitted by State Law, subject to the provisions of Iowa Code Sec. 481A.123), fireworks, or any other device containing explosives. Consumer fireworks deemed legal under Iowa Code Sec. 727.2 are allowed on January 1st between 12:00 A.M. and 12:30 A.M., on July 3rd between 9:00 A.M. and

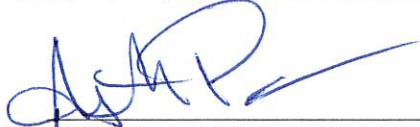
10:00 P.M. (or between 9:00 A.M. and 11:00 P.M. if July 3rd falls on a Saturday or Sunday), on July 4th between 9:00 A.M. and 11:00 P.M., and on December 31st between 9:00 A.M. and 12:00 A.M. Use of consumer fireworks during those dates and times may be suspended by order of the Director of the Department of Inspections, Appeals, and Licensing upon a determination by the State Fire Marshal that such use would constitute a threat to public safety, pursuant to Iowa Code Sec. 10A.511. Consumer fireworks shall not be discharged on public property, including right-of-way, sidewalks, streets, and all City-owned properties, except by licensed individuals with the City's consent. Consumer fireworks may only be discharged on private property with the owner's consent. The fine for violation of this ordinance shall be no less than two hundred fifty dollars.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

Section 5. Severability Clause. If any section, provision, or part of this ordinance is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part not adjudged invalid or unconstitutional.

Section 6. When Effective. This ordinance shall be in full force and effect after its final passage, approval, and publication as required by law.

Passed by the Camanche City Council this 17th day of June, 2025


Austin Pruett, Mayor


Attest: Toni L. Schneider, City Clerk

Certification of Posting

I, Toni L. Schneider, City Clerk, do hereby certify that a copy of this ordinance was posted at the Camanche City Hall, the Camanche Public Library, and the Clinton National Bank in Camanche on the 17th day of June, 2025 and published in a newspaper of local printing as required by law.


Name

06/17/2025
Date