

## ORDINANCE NO. 2047

### **An Ordinance Amending Title 9 (Public Peace Morals and Welfare), Chapter 36 (Weapons and Fireworks) of the Hood River Municipal Code by Limiting the Time Within Which Fireworks May Lawfully be Purchased and Discharged in the City of Hood River.**

The Hood River City Council adopts the following findings:

**WHEREAS**, the City of Hood River is an Oregon home-rule charter municipal corporation with a City Charter that grants it all the powers and authority that the constitution, statutes and common law of the United States and this State expressly or impliedly grant or allow as though each such power was specifically enumerated; and

**WHEREAS**, the City has adopted by reference state Fireworks Law in ORS 480.110 through ORS 480.160 as Section 9.36.020 of the Hood River Municipal Code (HRMC); and

**WHEREAS**, the City desires to exercise its right under ORS 480.160 to further limit the dates during which fireworks may be detonated to prohibit use of fireworks outside of these dates and during any period in which there is a declared fire emergency or burn ban; and

**WHEREAS**, the City Council considered such a code revision at its regular meeting on November 13 and again on November 26, 2018, at which time it accepted public comment and testimony on the proposal.

**NOW THEREFORE**, the Hood River City Council ordains as follows:

**Section 1 – Amendment.** Title 9 (Public Peace Morals and Welfare), Chapter 36 (Weapons and Fireworks), Section 9.36.020 (Oregon Fireworks Law Adopted) of the Hood River Municipal Code, is hereby amended to read as follows:

9.36.020 Oregon Fireworks Law Adopted. The Oregon Fireworks Law, ORS 480.111 through ORS 480.165 including all amendments thereto, is adopted by reference and made a part of this chapter.

**Section 2 – Amendment.** Title 9 (Public Peace Morals and Welfare), Chapter 36 (Weapons and Fireworks), the Hood River Municipal Code, is hereby amended to add the following new Section 9.36.025 (Limitations on the Sale and Discharge of Consumer Fireworks):

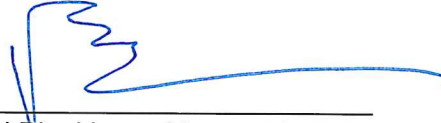
9.36.025 Limitations on the Sale and Discharge of Consumer Fireworks.

(1) The sale of consumer fireworks is allowed only during the period June 23 to July 7, inclusive, of each year.

(2) The discharge of consumer fireworks is allowed within the City limits only during the period November 16 to July 14, inclusive, each year. Additionally, the discharge of consumer fireworks shall be prohibited during any period in which there is a fire emergency or burn ban declared to be in effect by the Hood River Fire Chief.

**READ FOR THE FIRST TIME** November 26, 2018.

**READ FOR THE SECOND TIME** and adopted November 26, 2018. This Ordinance shall take effect on the 31<sup>st</sup> day following the second reading.



\_\_\_\_\_  
Paul Blackburn, Mayor

Attest:

Approved as to Form:

  
\_\_\_\_\_  
Jennifer Gray, City Recorder  
\_\_\_\_\_  
Daniel Kearns, City Attorney