

# RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2022-36

Passed June 15, 2022

Introduced by: Mr. Dragish  
First Reading: June 15, 2022

**AN ORDINANCE LIMITING THE DISCHARGE,  
IGNITION OR EXPLOSION OF FIREWORKS  
IN THE CITY OF CANFIELD, OHIO,  
AMENDING CANFIELD CODIFIED ORDINANCE SECTION 1519.04  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio General Assembly recently enacted H.B. 172 allowing individuals to discharge, ignite or explode fireworks on private property on certain days of the year, and

**WHEREAS**, H.B. 172 provides that municipalities can choose to limit or ban the discharge, ignition and explosion of fireworks otherwise permitted pursuant to H.B. 172, and

**WHEREAS**, the Council of the City of Canfield has determined that it is in the best interest of the City to limit the discharge, ignition and explosion of fireworks otherwise permitted pursuant to H.B. 172.

**NOW THEREFORE, BE IT ORDAINED**, by the Council of the City of Canfield, Mahoning County, Ohio as follows:

**Section 1.** The discharge, ignition or explosion of fireworks otherwise permitted by H.B. 172 is hereby limited to the 4<sup>th</sup> of July and New Years Day within the City.

**Section 2.** That Canfield Codified Ordinance Section 1519.04 is hereby amended to read as follows:

**1519.04 POSSESSION, SALE OR DISCHARGE PROHIBITED;  
EXCEPTIONS.**

(a) Except on December 31<sup>st</sup>, January 1<sup>st</sup>, July 3<sup>rd</sup> and July 4<sup>th</sup> from 8:00 am until 12:00 am (Midnight), on their own property, no person shall possess fireworks in this Municipality or no person shall possess for sale or sell fireworks in this Municipality at any time, except a licensed manufacturer of fireworks as authorized by Ohio R.C. 3743.02 to 3743.08, a licensed wholesaler of fireworks as authorized by Ohio R.C. 3743.15 to 3743.21, a shipping permit holder as authorized by Ohio R.C. 3743.40, an out-of-state resident as authorized by Ohio R.C. 3743.44, a resident of this State as authorized by Ohio R.C. 3743.45, or a licensed exhibitor of fireworks as authorized by Ohio R.C. 3743.50 to 3743.55 and Section 1519.02 and except as provided in Section 1519.05.

(b) Except as provided in Section 1519.05, licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1519.02, and except on December 31<sup>st</sup>, January 1<sup>st</sup>, July 3<sup>rd</sup>, and July 4<sup>th</sup> from 8:00 am until 12:00 am (Midnight) on their own property, no person shall discharge, ignite or explode any fireworks in this Municipality.

(c) No person shall use in a theater or public hall, what is technically known as fireworks showers, or a mixture containing potassium chlorate and Sulphur.

(d) No person shall sell fireworks of any kind to a person under eighteen years of age. No person under eighteen years of age shall enter a fireworks sales showroom unless that person is accompanied by a parent, legal guardian,

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or other responsible adult. No person under eighteen years of age shall touch or possess fireworks on a licensed premises without the consent of the licensee. A licensee may reject any person from a licensed premises that is in any way disruptive to the safe operation of the premises.

(e) Except as otherwise provided in Ohio R.C. 3743.44, no person, other than a licensed manufacturer, licensed wholesaler, licensed exhibitor, or shipping permit holder, shall possess 1.3 G fireworks.

(f) Notwithstanding anything to the contrary contained herein, no person may possess, control, use, ignite or discharge any fireworks while under the influence of intoxicating beverages or controlled substances.

**Section 3.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public, health, safety and welfare and for the reasons stated herein.

**Section 4.** That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield

PASSED IN COUNCIL THIS 15th day of June, 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

### Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to wit: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
MUNICIPAL ATTORNEY