

Draft Fireworks Ordinance

Section 1: Purpose

This ordinance is enacted to promote the health and safety of the community through regulation of the use of fireworks and ensuring responsible firework activity consistent with state and federal law.

Section 2: Authority

This ordinance is adopted pursuant to the authority granted by Iowa Code §727.2 and consistent with the limitations imposed by Senate File 303 (2025).

Section 3: Definitions

- Consumer Fireworks: As defined in Iowa Code §727.2(1)(a), “consumer fireworks” include first-class consumer fireworks and second-class consumer fireworks as described in American Pyrotechnics Association Standard 87-1, Chapter 3. *Consumer fireworks* are intended for retail sale to the public for personal use.
 - Examples include: novelties, firecrackers, chasers, roman candles, bottle rockets, fountains, mine and shell devices containing less than 60g of total chemical composition, and multiple tube devices with <200 grams of total pyrotechnic composition and individual tubes ≤ 1.75 inches in diameter.
- Display Fireworks: As defined in Iowa Code §727.2(1)(b) and federal law (27 CFR §555), “display fireworks” includes any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance.
 - Examples include: large fireworks used in shows, generally under the supervision of a trained pyrotechnician. Specifically, larger-scale aerial shells or pyrotechnic devices with >200 grams of explosive composition or exceeding 1.75 inches in shell diameter, containing salutes, which create bright flashes of light and/or loud reports.
- Wildlife Protection Zone: Any area within 200 feet of a natural water body, nesting habitat, forested area, or designated conservation zone.

Section 4: Prohibitions

- It shall be unlawful to sell display fireworks within the city limits.
- It shall be unlawful for a person to possess, use or explode display fireworks except in possession of and in compliance with all requirements of a permit issued by the City of Tiffin.
- It shall be unlawful for a person to use or explode consumer fireworks within the city limits, with the exception of the dates and times outlined in Section 5.

Section 5: Consumer Fireworks Use

In compliance with Iowa law, the use of consumer fireworks shall be permitted on the following dates and times:

- July 3: 9:00 a.m. to 10:00 p.m.
- July 4: 9:00 a.m. to 11:00 p.m.
- December 31: 9:00 a.m. to 12:30 a.m. on January 1.

Consumer fireworks may only be used on private property with the express permission of the property owner or, where HOA common property is applicable, the Homeowners Association.

Section 5: Display Fireworks Permit Requirement

No person shall use, ignite, or possess display fireworks within the city limits without first obtaining a Display Fireworks Permit approved by the City Fire Marshal.

Permit applications must include:

- Copy of valid ATF fireworks license.
- Proof of liability insurance. Liability insurance must meet a \$2,000,000 minimum. Fire Chief or the City Council reserves the discretion to require a greater amount where applicable.
- Safety and emergency response plan.
- Detailed site map showing firing area, spectator area, and minimum 300-foot setback from buildings, trees, vehicles, and wildlife protection zones.
- Debris cleanup plan.

The City reserves the right to deny or revoke permits if the display poses a fire risk, endangers wildlife, or creates a public safety hazard.

Section 6: Enforcement and Penalties

- The fire chief or police department may seize, take, remove or cause to be removed at the expense of the owner, all stocks of fireworks offered or exposed for sale, used, stored, or held in violation of this ordinance.
- Violation of ordinance: Minimum fine of \$250 per occurrence.
- Violations may result in additional citations under nuisance, fire, or environmental codes.

Section 7: Severability

If any section or provision of this ordinance is held invalid, such invalidity shall not affect other sections which can be given effect without the invalid provision.