

## ORDINANCE 1916

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANKENY, IOWA, BY AMENDING PROVISIONS OF THE ORDINANCE REGARDING FIREWORKS USE

WHEREAS, the City of Ankeny deems the use of certain consumer fireworks as a threat to public safety and a nuisance to landowners.

Be It Enacted by the City Council of the City of Ankeny, Iowa:

**SECTION 1.** Section 41.13, Fireworks, is hereby amended by deleting the current definition and inserting in lieu thereof the following:

1. Definition.

- a. "Consumer Fireworks" means those fireworks as defined by Iowa Code Section 727.2 that may be sold within the City even though the use of those items is prohibited.
- b. "First-class Consumer Fireworks" means the following Consumer Fireworks, as described in the American Pyrotechnics Association's standard 87-1, Chapter 3:
  1. Serial shell kits and reloadable tubes.
  2. Chasers.
  3. Helicopter and aerial spinners.
  4. Firecrackers.
  5. Mine and shell devices.
  6. Missile type rockets.
  7. Roman candles.
  8. Skyrockets and bottle rockets.
  9. Multiple tube devices under this paragraph (b) that are manufactured in accordance with APA 87-1, Section 3.5.
- c. "Second-class Consumer Fireworks" means the following Consumer Fireworks, as described in APA 87-1, Chapter 3:
  1. Cone fountains.
  2. Cylindrical fountains.
  3. Flitter sparklers.
  4. Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA 87-1, Section 3.5.
  5. Ground spinners.
  6. Illuminating torches.
  7. Toy smoke devices that are not classified as novelties pursuant to APA 87-1, Section 3.2.
  8. Wheels.
  9. Wire or dipped sparklers that are not classified as novelties pursuant to APA 87-1, section 3.2.

- d. “Display Fireworks” means those fireworks as defined by Iowa Code Section 727.2(1)(b).

**SECTION 2.** Section 41.13, Fireworks, is hereby amended by deleting the current regulations and inserting in lieu thereof the following:

2. Regulations.

- a. Except between 9:00 a.m. – 11:00 p.m. on July 4<sup>th</sup>, it shall be unlawful for any person to use or explode any explosive, explosive material, First-class Consumer Fireworks or Second-class Consumer Fireworks within the corporate limits of the City.
- b. It shall be unlawful for any person to offer for sale, expose for sale, sell at retail, or use or explode any explosive, explosive material, First-class Consumer Fireworks or Second-class Consumer Fireworks within the corporate limits of the City unless granted a permit as provided in Section 192.13 of the Ankeny Municipal Code. Sales of Display Fireworks may be made for that purpose only.
- c. It shall be unlawful for any person to use or explode any Display Fireworks within the corporate limits of the City unless, upon application in writing, the City has issued a permit to a City agency, fair association, amusement park or other organizations or groups of individuals approved by City authorities to display fireworks and such display will be handled by a competent operator.

**SECTION 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4.** This ordinance shall be effective upon its passage, approval and publication as provided by law.

**PASSED** and approved this 5<sup>th</sup> day of June 2017.

---

GARY LORENZ, Mayor

**ATTEST:**

---

PAMELA DeMOUTH, City Clerk

**PUBLISHED IN THE  
DES MOINES REGISTER  
ON THE 9<sup>TH</sup> DAY OF JUNE, 2017**

**1<sup>st</sup> Con 5/15/17  
2<sup>nd</sup> Con 5/30/17  
3<sup>rd</sup> Con 6/5/17**