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FOR IMMEDIATE RELEASE

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Firework use, sale amendments to City Code are adopted

City Council approves revisions to City Code on sale, use of consumer fireworks

MUSCATINE, Iowa – The Muscatine City Council approved an ordinance amending City Code Titles 6, 10, and 15, all relating to the sale and use of consumer fireworks, during its meeting Thursday night in the Council chambers. The amended ordinance will become effective following publication.

[Senate File 489](#) relates to the possession, sale, transfer, purchase, and use of fireworks, providing penalties, and including effective date provisions. The legislation, signed by Governor Terry Branstad, began a two-week scramble by counties and municipalities throughout the state to determine what amendments, if any, were needed by local jurisdictions to comply with the new state law.

File 489 permits the sale and use of consumer fireworks between June 1 and July 8 and from December 10 through January 3 but also leaves the door open for local jurisdictions to determine where fireworks can be sold and to shorten the period of time that consumer fireworks can be used.

Working on a June 1 deadline, city staff began the task of reviewing the ordinances and codes. The staff found that the City of Muscatine Zoning Ordinance as written did not distinguish between consumer fireworks and other types of explosives nor did it allow the sale of fireworks in any location other than M-2 (General Industry) Districts and then only with an approved conditional use permit.



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The Planning and Zoning Commission held a special meeting on May 26 to receive public input on the sale of fireworks and their recommendations became part of the amended zoning ordinance. The amended ordinance will allow the sale of fireworks in all zoning districts in which retail sales are allowed by right. Temporary structures selling fireworks would be subject to additional setback requirements including 20 feet from property line, 150 feet from any residence, and 50 feet from non-residential structure located on another parcel.

The main amendment accepted by the City Council Thursday was the addition of Chapter 8 (Fireworks Sales, Discharging, and Display) under Title 15 (Fire Regulations) of the City Code.

Among the items concerning the use of consumer fireworks included in the new chapter are:

- Anyone discharging fireworks or allowing the discharge of fireworks on their property assumes responsibility for that discharge and the consequences, if warranted;
- No one 17-years-old or younger can discharge fireworks unless under DIRECT adult supervision.
- Consumer fireworks can be used or exploded only from July 1-July 8 and December 26-January 3 of each year, all dates inclusive. Consumer fireworks can be used or exploded between the hours of 9 a.m. and 10 p.m. on these days. Exceptions are:
 - 9:00 a.m.-11:00 p.m. on a Saturday or a Sunday immediately preceding or following July 4 or December 31.
 - 9:00 a.m.-11:00 p.m. on July 4.
 - 9:00 a.m. on December 31 to 12:30 a.m. on January 1.
- Consumer fireworks can only be discharged on real property owned or on property where consent was given. Fireworks use is not permitted on public property including sidewalks, streets, and in the parks.

Among the items concerning the sale of consumer fireworks included in the new chapter are:



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- To receive a permit to sell fireworks in the City of Muscatine you must have proof of liability insurance, a site plan, pay any and all applicable fees, and have proof of a valid permit or license from the [State Fire Marshal](#).
- All permanent or temporary structures intended for fireworks sales will be inspected by the fire chief or his designee prior to the selling of fireworks for compliance with all fire codes.
- Firework sales may only occur in zoned districts that permit retail sales.

To access the City of Muscatine Code go to www.muscatineiowa.gov/citycode.

For the Muscatine Fireworks Safety flyer, click [here](#).

For information from the Iowa Department of Public Safety on consumer fireworks, click [here](#).