

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 22-12

SPONSORED BY COUNCIL MEMBER Schwartz ON THE 14th DAY
OF March 2022.

AN ORDINANCE BY BEAVERCREEK CITY COUNCIL HEREBY REAFFIRMING THE BAN ON POSSESSING, SELLING, OR DISCHARGING FIREWORKS IN THE CITY OF BEAVERCREEK, AS SET FORTH IN SECTION 93.09 OF THE CODIFIED ORDINANCES OF THE CITY OF BEAVERCREEK, PURSUANT TO OHIO REVISED CODE SECTION 3743.45.

WHEREAS, the Governor of Ohio recently signed H.B. 172, amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and

WHEREAS, H.B. 172 also provides that pursuant to home rule authority, a city may choose to restrict the days and times that a person may discharge consumer grade fireworks or may impose a complete ban on the use of consumer grade fireworks; and

WHEREAS, Council finds that the possession, sale, or discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in residential and business areas; and

WHEREAS, Council finds that continuing the ban on the possession, sale, or discharge of fireworks, as set forth in Section 93.09 of the Codified Ordinances, will best protect the public's right to the quiet enjoyment of their premises; and

WHEREAS, Council further finds that it is in the best interests of the public to continue to ban the possession, sale, or discharge of fireworks otherwise permitted in H.B. 172, as set forth in Section 93.09 of the Codified Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

That the Council of the City of Beavercreek reaffirms its ban on possessing, selling, or discharging fireworks in the City of Beavercreek as set forth in Section 93.09 of the Codified Ordinances of the City of Beavercreek, pursuant to Ohio Revised Code Section 3743.45.

SECTION II.

That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION III.

This Ordinance shall take effect at the earliest time permitted by law.

PASSED this 28th day of March, 2022.



Bob Stone, Mayor

ATTEST:



Debbie Haines, Acting Clerk of Council

SUMMARY

THIS ORDINANCE BY BEAVERCREEK CITY COUNCIL REAFFIRMS THE BAN ON DISCHARGING, IGNITING OR EXPLODING FIREWORKS, IN THE CITY OF BEAVERCREEK, AS SET FORTH IN SECTION 93.09 OF THE CODIFIED ORDINANCES OF THE CITY OF BEAVERCREEK, PURSUANT TO OHIO REVISED CODE SECTION 3743.45.