

**Village of Empire
Leelanau County, Michigan**

**Fireworks Ordinance No. 75
(Effective June 5, 2001)**

The Village of Empire ordains:

Section 1. Purpose:

The purpose of this Ordinance is to establish a safe environment for the discharge of fireworks and to insure protection for the viewing public and the property owners surrounding the discharge site.

Section 2. Application and Site Plan:

- A.** Any party wishing to stage a fireworks display shall, at least 30 days prior to the display, submit an application on a form supplied by the Village and shall secure permission from the Village Council prior to the fireworks display.
- B.** A site plan of the area where the fireworks display is to be conducted shall be submitted with the application. The site plan shall set forth all structures in the area and the discharge site fallout area. The site plan shall furthermore set forth the distance separating the mortars used to launch the fireworks and the structures, and set forth the distance separating the mortars and the spectators viewing the display. All site plans must be approved by the Empire Township Fire Department prior to Village Council approval.

Section 3. Requirements and Restrictions:

- A.** The fireworks company conducting the display shall follow National Fire Protection Association (NFPA) Code 1123 for Fireworks Display and/or the Empire Village requirements, whichever is more restrictive.
- B.** The fireworks company shall maintain personal injury liability insurance/property damage liability insurance in the amount of \$1,000,000 during each event. The Village and Township shall be named as an additional insured on the insurance policy. The insurance policy must be submitted with the aforementioned application and shall be subject to the Risk Management Company's review. The insurance policy shall also include coverage for cleanup after the fireworks display has ended.
- C.** The fireworks company shall be responsible for all shells fired. In the event one of the shells does not explode, the fireworks company shall secure the area until the unexploded shell is found and properly disposed of.
- D.** The consumption of alcohol prior to and during the display by the shooters or any person on site employed by the fireworks company is strictly prohibited.

Section 4. Enforcement and Penalties:

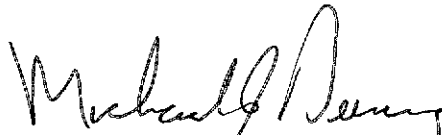
- A.** This Ordinance shall be enforced by such persons who shall be designated by the Village Council.
- B.** Violation of this Ordinance shall be a misdemeanor, which shall be punishable upon a conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment for not exceeding 90 days, or by both such fine and imprisonment at the discretion of the Court.

Section 5. Severability:

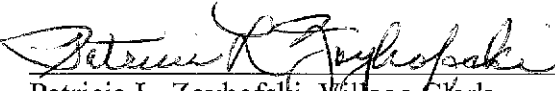
The invalidity of any clause, sentence, paragraph, or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

Section 6. Effective Date:

This Ordinance was adopted by the Village Council of Empire on May 15, 2001 and shall become effective on June 5, 2001.



Michael J. Deering, Village President



Patricia L. Zoyhowski, Village Clerk