

TOWNSHIP OF RAY
MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 44

AMENDMENT OF RAY TOWNSHIP FIREWORKS ORDINANCE

TITLE

AN ORDINANCE amending the Ray Township Fireworks Ordinance, being Ordinance No. 44, to revise the dates and times upon which an individual may ignite, discharge and utilize consumer fireworks within the Township of Ray; the penalties provided for a violation of the Ordinance and repealing any and all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY,
MACOMB COUNTY, MICHIGAN, ORDAINS:**

SECTION 1 - AMENDMENTS

1.1 Section 5. (Consumer Fireworks Regulation and Prohibited Conduct), subparagraph A shall be deleted and the following substituted therefore:

It shall be unlawful for a person to ignite, discharge and use consumer fireworks except on the following days:

- A. The Saturday and Sunday immediately preceding Memorial Day.
- B. June 29.
- C. June 30.
- D. July 1.
- E. July 2.
- F. July 3.
- G. July 4.
- H. July 5, if that day is a Friday or Saturday.
- I. The Saturday and Sunday immediately preceding Labor Day.
- J. December 31 until 1:00 a.m. on January 1.

1.2 Section 5 (Consumer Fireworks Regulation and Prohibited Conduct), subparagraph B shall be deleted and the following substituted therefore:

Consumer fireworks shall not be ignited, discharged or used prior to 11:00 a.m. or after 11:45 p.m. on the above days, except that fireworks may be utilized from 11:00 a.m. on December 31 until 1:00 a.m. on January 1.

1.3 Section 8 (Penalty) shall be deleted and the following substituted therefore:

Penalty; Civil Infraction; Misdemeanor.

Section 8. Any person who violates Section 5 (A) or (B) of this Ordinance may be issued a civil infraction citation and shall, upon being found responsible therefore, be subject to a penalty not to exceed \$1,000. If a fine of \$1,000 is collected, \$500 of that \$1,000 fine collected shall be remitted to the local law enforcement agency responsible for enforcing the Ordinance. Any person who violates the remaining provisions of the Ordinance shall, upon conviction thereof, be guilty of a misdemeanor and subject to a penalty not to exceed \$500 or imprisonment in the county jail for a period not to exceed 90 days or both such fines and imprisonment.

SECTION 2 – SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 3 – PUBLICATION.

This Ordinance or a summary thereof shall be published in a newspaper of general circulation within the Township of Ray, within fifteen (15) days after adoption.

SECTION 4 – EFFECTIVE DATE.

This Ordinance amendment shall take effect thirty (30) days from and after the date of publication of this Ordinance or a summary thereof as set forth in Section 3.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Ray, Macomb County, Michigan, at a meeting held on February 19, 2019.

I hereby further certify that the following Township Board members were present at the meeting: Jarzyna, Lascoe, Stier, Bohm, Grader and the following Township Board Members were absent: None.

I further certify that Member Bohm moved for the adoption of the Ordinance, and that motion was supported by Member Stier.

I further certify that the following Ray Township Board Members voted for the adoption of the Ordinance: Bohm, Stier, Grader, Lascoe, Jarzyna and that the following Ray Township Board members voted against adoption of the Ordinance: None.



Lori R. Lascoe,
Ray Township Clerk