

**VILLAGE OF MT. ZION
MACON COUNTY, ILLINOIS**

Ordinance No.
2022-7

AN ORDINANCE AMENDING CHAPTER 91: FIREWORKS
OF THE VILLAGE OF MT. ZION CODE OF ORDINANCES

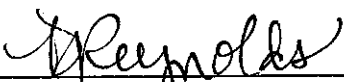
CERTIFICATE

State of Illinois)
)
)
County of Macon)

I, Dawn Reynolds, duly appointed Village Clerk of the Village of Mt. Zion, Macon County, State of Illinois, and as such, custodian of all Village records, do hereby certify that the attached Ordinance No. 2022-7, is a true and correct copy of AN APPROVED ORDINANCE OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS that was adopted by the Mt. Zion Village Board on July 18, 2022.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 18th day of July, 2022.

Seal



Dawn Reynolds, Village Clerk

ORDINANCE NO. 2022-7

**VILLAGE OF MT. ZION, ILLINOIS
AN ORDINANCE AMENDING CHAPTER 91: FIREWORKS
OF THE VILLAGE OF MT. ZION CODE OF ORDINANCES**

WHEREAS, the Village of Mt. Zion Board of Trustees has determined that this amendment is necessary and advantageous and supports the public health, welfare, safety, and morals of the public and has authorized the same by a vote of the Village Board.

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Mt. Zion, Illinois, in the County of Macon, as follows:

Section 1. Recitals. The preliminary paragraphs set forth above are incorporated herein as part of this Ordinance.

Section 2. Amendment to Ordinance. Chapter 91: Fireworks of the Mt. Zion Code of Ordinances is hereby amended in accordance with the changes depicted in Exhibit A which is attached hereto and incorporated herein.

Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication according to law.

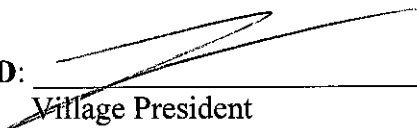
Section 4. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

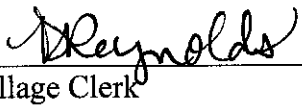
[Intentionally left blank. Signature page to follow.]

PASSED APPROVED AND ADOPTED by the Village President and Board of

Trustees of the Village of Mt. Zion this 18th day of July, 2022.

CORPORATE AUTHORITIES	AYE VOTE	NAY VOTE	ABSTAIN	ABSENT
Ellen Ritchie	X			
Mike Mose	X			
Chris Siudyla	X			
Donna Scales	X			
Wendy Kernan				X
Kevin Fritzsche	X			
Lucas Williams, President				
TOTAL VOTES	5			1

APPROVED:  , Date 7 / 18 / 2022
Village President

ATTEST:  , Date 7 / 18 / 2022
Village Clerk

ATTACHMENT:

1. **EXHIBIT A.** Village of Mt. Zion Code of Ordinance revised Chapter 91: Fireworks

Chapter 91: Fireworks

Section

- 91.01 Definition
- 91.02 Sale, possession, or display of fireworks restricted
- 91.03 Hazardous display prohibited
- 91.04 Permit required for ~~sale, distribution, or display~~
- 91.05 [Intentionally left blank.]
- 91.06 Application; forms
- 91.07 Permitted use restricted; permit not transferable
- 91.99 Penalty

S 91.01 Definition.

For the purpose of this chapter, the following definition shall apply

“Fireworks.” Any explosive composition, or any substance, or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibition nature by explosion, combustion, deflagration, or detonation, including blank cartridges, toy cannons in which explosives are used, balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, sparklers, bombs, or other fireworks of like construction, and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects. However, “Fireworks” shall not include toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing .25 grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper or plastic caps which contain less than .20 grains of explosive mixture, the sale and use of which shall be permitted at all times. (Ordinance 1976-77-8, passed 6/21/76)

S 91.02 Sale, Possession, or Display of Fireworks Restricted.

Except as hereinafter provided, it shall be unlawful for any person, corporation, partnership, or association to offer for sale, sell, possess, distribute, or publicly display fireworks or other pyrotechnic displays within the corporate limits of the village. (Ordinance 1976-77-8, passed 6/21/76)

Statutory reference: Power of cities to regulate fireworks. Illinois Fireworks Regulation Act

S 91.03 Hazardous Display Prohibited.

Every public display shall be handled by a competent individual designated by the village administrator, and shall be of such a character and so located, discharged, or fired as not to be hazardous to property or endanger any person. (Ordinance 1976-77-8, passed 6/21/76) Penalty, see #91.99.

S 91.04 Permit Required For Sale, Distribution, or Display.

- (A) Any person, corporation, partnership or association wishing to offer for sale, sell, distribute, whether at retail or wholesale, or display fireworks or other pyrotechnic displays publicly shall first obtain a permit from office of village administrator. The fee for the permit to display fireworks shall be \$25.00. The fee for the permit to sell or distribute fireworks shall be \$100.00.
- (B) Permits issued by the Macon County Board of Supervisors for the sale, distribution, or public display of fireworks or other pyrotechnic displays shall not be valid within the corporate limits of the village. (Ordinance 1976-77-8, passed 6/21/76; amended by Ordinance 1976-77-9, passed 6/21/76; Ordinance 1980-81-2, passed 5/19/80; Ordinance 95-96-5; Ordinance 2003-04-1, passed 5/19/03)

~~S 91.05 Fireworks Sale Regulations.~~

- ~~(A) **Types of Fireworks Sales Allowed.** Only Class C fireworks may be sold in the village. Class A & B fireworks may not be sold or stored in the village.~~
- ~~(B) **Location of Fireworks Sale Sites.** All fireworks sale sites shall be located in the highway commercial zone as established under the zoning code of the village.~~
- ~~(C) **Building Code Standards for the Fireworks Sale Sites.** Fireworks sale sites premises shall be in a permanent structure that is kept in a clean and sanitary condition and in full compliance with the building code of the Village of Mt. Zion Code of Ordinances. No fireworks sale sites shall be permitted on any premises, which is within 100 feet from the nearest point to the property line of a church or school.~~
- ~~(D) **Inspection of Fireworks Sale Sites.** The permittee must open the fireworks sale sites at any time for inspection by the Chief of Police and/or other authorized officials of the village. Fireworks sale sites must be inspected and approved by the Chief of Police and/or other authorized officials of the Village before fireworks sales may commence.~~
- ~~(E) **Qualifications of Applicant for Fireworks Permit.** Applications for Fireworks Sale permit shall be submitted in writing on the forms provided by the village administrator signed by the applicant, if an individual, or by the duly authorized officer, if the applicant is a corporation, or by a partner,~~

if the applicant is a partnership. All applications shall be verified by oath and shall contain the following information and statements:

- (1) ~~The age, resident's address of the applicant if the person applying is an individual. The name, age and resident's address of all partners if the applicant is a partnership. If the applicant is a corporation, the corporate name, date of incorporation, state of incorporation, date when the corporation was authorized to do business in the state of Illinois, the names of the officers and directors of the corporation.~~
 - (2) ~~The length of time the applicant has been in the fireworks business.~~
 - (3) ~~The quantity of fireworks, goods and merchandise the applicant intends to store upon the premises.~~
 - (4) ~~The location, street address and full legal description of the premises where fireworks sales shall take place.~~
 - (5) ~~A statement from the applicant that the applicant has never been convicted of a felony, and that the applicant will not violate any of the ordinances of the village or any of the laws of the state of Illinois in the conduct of the sale of fireworks.~~
 - (6) ~~Two personal and two business references.~~
 - (7) ~~A verified financial statement showing the assets and liabilities of the person applying a certificate of insurance verifying that the applicant's fireworks business is covered by commercial general liability insurance with limits not less than \$500,000.00 general aggregate limit. (Ordinance 1995-96-5)~~
- (F) **Persons ineligible for license and/or employment at the fireworks sale sites.** The following individuals may not be employed at the fireworks sale sites and/or shall not be issued a fireworks sale permit:
- (1) ~~A person who is not over 21 years of age.~~
 - (2) ~~A person who is not a citizen of the United States.~~
 - (3) ~~A person who has been convicted of a felony under any federal or state law.~~
 - (4) ~~A person whose license under this Chapter has been previously revoked.~~

~~(5) A partnership, unless all of the members of the partnership are qualified to obtain a license.~~

S 91.06 Application; Forms.

(A) Application for permits shall be made in writing at least 15 days in advance of the date of the display, and action shall be taken on such application within 48 hours after such application is made.

S 91.07 Permitted Use Restricted; Permit Not Transferable.

After such permit has been granted, ~~offers for sale, possession, use, distribution,~~ and public display of fireworks shall be lawful only according to the terms of the permit. No permit granted hereunder shall be transferable. (Ordinance 1976-77-8, passed 6/21/76) Penalty, see S 91.99

S 91.99 Penalty.

Any person, corporation, partnership, or association found to have violated any of the provisions of this chapter shall be fined not less than \$25 and not more than \$500.