

**DRAFT ORDINANCE TO BE CONSIDERED  
BY THE CITY COUNCIL ON FEBRUARY 21, 2023**



**COUNCIL ORDINANCE No.**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE (MMC) CHAPTER 9.18 FIREWORKS TO PROHIBIT THE SALE, POSSESSION, AND USE OF CONSUMER FIREWORKS.**

**WHEREAS** the citizens of Milwaukie value a safe and livable community; and

**WHEREAS** the use of fireworks has a negative impact on veterans and other citizens, as well as pets in our homes and wildlife in our yards, parks, and natural areas; and

**WHEREAS** fireworks also pose a public safety threat due to fire hazard to both homes and other structures as well as parks and natural areas, especially in dry summer months.; and

**Now, Therefore, the City of Milwaukie does ordain as follows:**

Section 1. Amendments. The Milwaukie Municipal Code (MMC) is amended:

9.18.010. Prohibited Acts.

Unless otherwise permitted by the terms of ORS 480.120(1)(a-g), it is unlawful for any person to sell, offer for sale, expose for sale, possess, use, explode or have exploded any fireworks.

9.18.020. Definitions

As used in this chapter:

“Fireworks” means the same as defined in ORS 480.111, but does not include “Exempt fireworks” as defined in ORS 480.111.

“Person” means a natural person, firm, partnership, association, or corporation.

9.18.030. Violation-Removal

The City may confiscate, destroy, remove or have removed at the owner's expense all stocks of fireworks in violation of this chapter, when necessary to preserve public safety.

9.18.040. Violation- Penalty

A. Any person who violates this chapter is subject to a fine not to exceed \$1,000.

B. Each day a violation of a provision of this chapter occurs will constitutes a separate offense.

Section 2. Effective Date. The amendments will become effective 30 days from the date of adoption.

**DRAFT ORDINANCE TO BE CONSIDERED  
BY THE CITY COUNCIL ON FEBRUARY 21, 2023**

Read the first time on \_\_\_\_\_ and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott S. Stauffer, City Recorder

\_\_\_\_\_  
Justin D. Gericke, City Attorney