

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #636H

AN ORDINANCE AMENDING SECTION 74-221 OF THE CITY OF BELVIDERE MUNICIPAL CODE RELATING TO  
FIREWORKS

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5<sup>TH</sup> DAY OF SEPTEMBER 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6<sup>TH</sup> DAY OF SEPTEMBER, 2023.

Published in Pamphlet Form this 6<sup>th</sup> day of September 2023.

ORDINANCE #636H  
AN ORDINANCE AMENDING SECTION 74-221 OF THE CITY OF BELVIDERE  
MUNICIPAL CODE  
RELATING TO FIREWORKS

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvidere as follows:

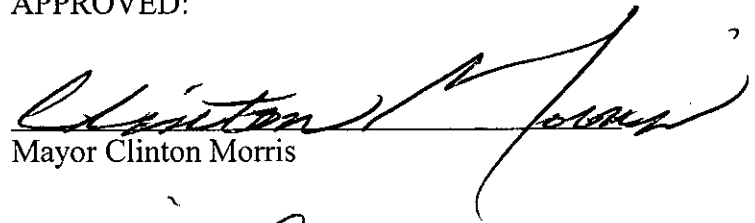
**SECTION 1:** Section 74-221 of the City of Belvidere Municipal Code is amended read as set forth in the Attached Exhibit A which is incorporated herein increasing the minimum fine for a violation to \$500.00.

**SECTION 2:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

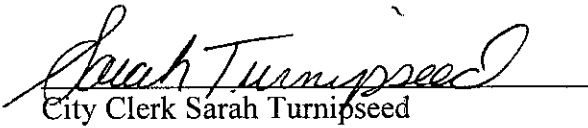
**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.

Voting Aye: Frank, Gramkowski, McGee, Albertini, Fleury and Mayor Morris.  
Voting Nay: Mulhall.  
Absent: Brereton, Freeman, Porter and Snow.

APPROVED:

  
Mayor Clinton Morris

ATTEST:

  
City Clerk Sarah Turnipseed

(SEAL)

Passed: September 5, 2023  
Approved: September 6, 2023  
Published: September 6, 2023

## Sec. 74-221. Fireworks.

- (a) *Fireworks defined:* The term fireworks shall mean and include 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 exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, 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, provided, however, that the term "fireworks" shall not include snake or glow worm pellets, smoke devices, trick noisemakers known as "party poppers," "booby traps," "snappers," "trick matches," "cigarette loads" and "auto burglar alarms," sparklers, toy pistols, toy canes, toy guns or other devices in which paper or plastic caps containing 25 hundredths 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 twenty hundredths grains of explosive mixture, the sale and use of which shall be permitted at all times.
- (b) Sale, use or explosion prohibited. Except as hereinafter provided, it shall be unlawful for any person, firm, co-partnership, or corporation to knowingly possess, offer for sale, expose for sale, sell at retail, or use or explode any fireworks, provided that the corporate authorities grant permits for supervised public displays of fireworks. Every such display shall be handled by a competent individual who is licensed as a lead pyrotechnic operator. Application for permits shall be made in writing at least 15 days in advance of the date of the display. After such privilege shall have been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted shall be transferable.

No permit shall be required, under the provisions of this section, for supervised public displays by the city.

The governing body shall require proof of insurance from the permit applicant in a sum not less than \$1,000,000.00 conditioned on compliance with the provisions of this law and the regulations of the state fire marshal which are hereby adopted by this reference.

Possession by any party holding a certificate of registration under "The Fireworks Regulation Act of Illinois," [FN1] filed July 20, 1935, or by any employee or agent of such party or by any person transporting fireworks for such party, shall not be a violation, provided such possession is within the scope of business of the fireworks plant registered under that act.

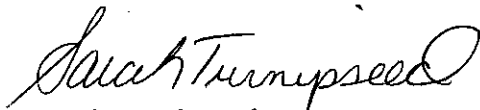
- (c) *Protected areas:* No fireworks shall be discharged, ignited or exploded at any point in the city within 600 feet of any hospital, asylum or infirmary.
- (d) *Fireworks showers:* The use of what are technically known as fireworks showers or any mixture containing potassium chlorate, and sulphur in theatres or public halls is hereby prohibited.
- (e) Transportation signals or fuses. Nothing in these regulations shall be construed as prohibiting the manufacture, storage or use of signals or fuses necessary for the safe operation of railroads, trucks, aircraft, or other instrumentalities of transportation.
- (f) *Public property:* The sale and use of sparklers or similar items on public property is hereby prohibited.
- (g) *Nuisance declared and penalties:*
- (1) Any violation of this section is hereby declared to be a public nuisance.
  - (2) Any person violating this section shall pay a fine of not less than \$500.00 nor more than \$750.00. In sentencing, the court shall consider the amount and type of fireworks as well as any prior violations of this section.
  - (3) Upon a finding or plea of guilty, the court shall direct, by appropriate order, the city to safely destroy the confiscated fireworks without compensation to the owner or defendant.

**AFFIDAVIT**

STATE OF ILLINOIS     )  
  )  
COUNTY OF BOONE     )

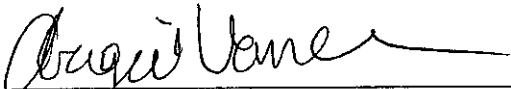
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #636H of the City of Belvidere, Illinois, in pamphlet form on September 6, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #636H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's office.



Sarah Turnipseed  
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
this 6<sup>th</sup> day of Sept, 2023.



Notary Public

