

HOMER ORDINANCE

§ 130.060 FIREWORKS.

(A) No person shall ignite, discharge, display or use consumer fireworks, except as permitted by the Michigan Fireworks Safety Act, M.C.L.A. §§ 28.451 *et seq.*

(B) On those days specified by Section 7 of the Michigan Fireworks Safety Act, being M.C.L.A. § 28.457, no person shall ignite, discharge or use consumer fireworks other than during those times specifically permitted by that Act.

(C) On all other days, no person shall ignite, discharge or use consumer fireworks between the hours of 11:00 p.m. and 11:00 a.m.

(D) No person shall ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person without that organization's or person's expressed permission to use those fireworks on those premises.

(E) As used in this section, the term **CONSUMER FIREWORKS** shall have the same meaning it has in the Michigan Fireworks Safety Act.

(Ord. 2013-03, passed 9-3-2013; Am. Ord. -, passed 11-4-2019) Penalty, see

§ [130.999](#)

STATE STATUTE

MICHIGAN FIREWORKS SAFETY ACT (EXCERPT)

Act 256 of 2011

28.457 Local ordinances.

Sec. 7.

(1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:

(a) December 31 until 1 a.m. on January 1.

(b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(c) June 29 to July 4 until 11:45 p.m. on each of those days.

(d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

(3) An ordinance under subsection (2) shall impose a civil fine of \$1,000.00 for each violation of the ordinance and no other fine or sanction. The ordinance must provide for the remittance of \$500.00 of the fine collected under the ordinance to the local law enforcement agency responsible for enforcing the ordinance.