

Dear Woodmere neighbors,

Monday, the United States will celebrate the Independence of America. The USA will be 246 years young. Clearly, people across the nation will reflect upon the freedoms that we all enjoy. However, various communities in Ohio have the ability, and in many cases, the responsibility to ensure that all people enjoy the holiday celebration in a safe environment.

House Bill 172, that takes effect statewide Friday, July 1, allows Ohio residents to detonate fireworks on specific holidays. One designated holiday is the Fourth of July. However, HB 172 also allows for communities, like Woodmere, to prohibit the discharge of fireworks in the Village.

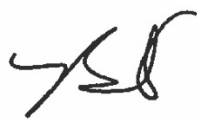


Woodmere Ordinance 2022-15 bans the discharge of commercial grade explosion of fireworks regardless of the day of the year. Plainly put, it will be **illegal** to discharge fireworks in the residential district of Woodmere on the Fourth of July.

The intent of the ordinance is to make sure that people are safe while recognizing there are some people who have an adverse reaction to explosions and noise created when fireworks are discharged. Furthermore, fireworks can overwhelm pets and cause noise anxiety for animals.

The administration strongly encourages everyone to leave pyrotechnics to the professionals. Ordinance 2022-15 is included for your review.

Respectfully submitted,



Benjamin I. Holbert, III
Mayor/Safety Director

**ORDINANCE NO.: 2022-15
INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE**

AN ORDINANCE AMENDING SECTION 1519.04(b) OF THE VILLAGE'S CODIFIED ORDINANCES TO BAN THE DISCHARGE, IGNITION, AND EXPLOSION OF FIREWORKS REGARDLESS OF THE DAY OF THE YEAR SUCH FIREWORKS ARE DISCHARGED, IGNITED, OR EXPLODED, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor, Police Chief, Fire Chief, and the Safety Committee of Council have all considered H.B. 172, signed by Governor DeWine on November 8, 2021, which amends Ohio R.C. 3743.45(B), effective July 1, 2022, to permit persons to legally discharge, ignite or explode fireworks on certain days of the year; and

WHEREAS, H.B. 172, enacts Ohio R.C. 3743.45(D)(2), which permits municipalities to opt out of the provisions of Ohio R.C. 3743.45(B) by passing legislation to ban the discharge, ignition, and explosion of fireworks regardless of the day of the year such fireworks are discharged, ignited, or exploded; and

WHEREAS, the Mayor, Police Chief, Fire Chief, and the Safety Committee of Council all recommend that the Village pass legislation to ban the discharge, ignition, and explosion of fireworks regardless of the day of the year because discharge of fireworks poses a significant danger to the public and can cause serious injuries as well as significant property damage, and disturbs the peace, tranquility, and wellbeing of residents in the Village and their pets;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village Of Woodmere, County of Cuyahoga, and State of Ohio that:

Section 1. Section 1519.04(b) of the Village's Codified Ordinances is amended as follows, with deletions struck through and changes underlined:

(b) No person shall discharge, ignite or explode any fireworks within the territorial limits of this Municipality, regardless of the day of the year such fireworks are discharged, ignited, or exploded, and regardless of whether such fireworks are purchased on or after July 1, 2022 pursuant to Ohio R.C. 3743.45. This ban on the discharge, ignition, or explosion of fireworks regardless of the day of the year such fireworks are discharged, ignited, or exploded, and regardless of whether such fireworks are purchased on or after July 1, 2022 pursuant to Ohio R.C. 3743.45, is enacted pursuant to Ohio R.C. 3743.45(D)(2) and is intended to operate to the fullest extent possible. This Section does not prohibit the applications set forth in ~~Except as provided in~~ Section 1519.05 or prohibit ~~and except for~~ licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1519.02. ~~no person shall discharge, ignite or explode any fireworks in this Municipality.~~

Section 2. The Law Director is authorized and directed to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the Village of Woodmere for immediate inclusion of amended Section 1519.04(b) in the current print and electronic editions of the Village's Codified Ordinances.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the Village's Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Ordinance No. 2022-15
Page Two

Section 4. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village and for the further reason that the H.B. 172 takes effect July 1, 2022. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

PASSED: _____

Nicole Y. Culliver, Ph.D., Council President

Benjamin I. Holbert, III, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST:

Sheryl C. Blakemore, Clerk of Council

I, Sheryl C. Blakemore, as Clerk of Council of the Village of Woodmere, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-15 adopted by the Council of said Municipality on the ____ day of _____, 2022.

Sheryl C. Blakemore, Clerk of Council