

Chapter 9.28**FIREWORKS****Sections:**

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9.28.010 Definitions.

“Fireworks” means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment, including fireworks classified by the Health and Safety Code both as “dangerous fireworks” and as “safe and sane fireworks” and shall include firecrackers, torpedoes, skyrockets, roman-candles, bombs, sparklers, chasers, snakes or other fireworks containing any explosive or flammable substance. This definition does not include ammunition used for target shooting or hunting, nor does it include what is ordinarily known as cap pistol caps, party poppers or snap caps. (Ord. 539 § 1, 1995)

9.28.020. Sale—Discharge—Time Limit.

Subject to the provisions of the State Fireworks Law, Sections 12,500 through 12,726 of the Health and Safety Code of the state, and any regulations promulgated thereunder, safe and sane fireworks, as defined in Section 12529 of the Health and Safety Code of the State of California, may be sold and discharged within the city limits of the City of Ripon during the period beginning at 12 noon on the 28th day of June and ending at 12 midnight on

the 4th of July, each year. No fireworks classified as “dangerous fireworks” by Section 12505 of the Health and Safety Code of the State of California, may be sold or discharged within the City of Ripon. (Ord. 539 § 1, 1995)

9.28.030. Permissible Locations for Discharge.

A. The use of fireworks in the city shall be limited to private property and residential public streets or rights of way. No fireworks shall be discharged on public, semi-public or private open areas such as parking lots, vacant properties, or open commercial or industrial areas except in those areas approved by the Fire Chief of the Ripon Consolidated Fire District.

B. It shall be unlawful for any person to ignite, explode, project, or otherwise fire or use, any fireworks, or to permit the ignition, explosion or projection thereof, upon or over or onto the property of another without his or her consent. (Ord. 587 § 1, 1998)

9.28.040. Use by Minors.

It shall be unlawful for any person having the care, custody or control of a minor under the age of eighteen (18) to permit such minor to discharge, explode, fire, or set off any fireworks, as defined herein, unless such minor does so under the direct supervision of a parent or guardian, or such other person having care, custody or control of such minor. (Ord. 587 § 1, 1998)

9.28.050 Seizure—Destruction.

Any member of the Ripon police or fire departments shall seize, take, remove or cause to be removed and arrange for the destruction at the expense of the owner of all stocks or fireworks offered or exposed for sale, stored, possessed or transported, or otherwise in violation of this chapter. (Ord. 587 § 1, 1998)

9.28.060 Violation.

Any violation of any of the provisions of this chapter is declared a infraction, and may be prosecuted by the City Attorney, or through the provisions of Chapter 1.12 of the Ripon Municipal Code. (Ord. 587 § 1, 1998)

9.28.070 State Law.

The provisions of this ordinance are in addition to applicable state and federal law, including, but not limited to, the state fireworks law (California Health and Safety Code Section 12,500 through 12,726), the State Fireworks Regulations (Title 19, California Code Regulations, Chapter 6), and any and all other state or federal laws or regulations pertaining to the sale or use of fireworks. (Ord. 587 § 1, 1998)

9.28.080 Enforcement.

The provisions of this chapter shall be enforced by the officers and employees of The City of Ripon and the Ripon Consolidated Fire

District, and violations shall be prosecuted as provided in Section 9.28.060. (Ord. 587 § 1, 1998)

9.28.090 Special Provisions for Year 2000 Celebration.

In addition to the annual time periods for the sale and discharge of safe and sane fireworks set forth in Section 9.28.020, and subject to each of the remaining provisions of this Chapter 9.28 and Chapter 17.70, the sale and discharge of safe and sane fireworks shall be permitted during the period beginning at 12 noon on December 26, 1999, and ending at 1:00 a.m. on January 1, 2000, in connection with anticipated celebrations of the turn of the century. (Ord. 610 § 1, 1999)