

O-2013-11

AN ORDINANCE

AMENDING SECTION 5.20.010 OF THE LAKEWOOD MUNICIPAL CODE RELATING TO FIREWORKS; AND FURTHER DECLARING AN EMERGENCY

WHEREAS, in order to properly regulate the sale and use of fireworks it is necessary from time to time to amend the definition of fireworks to include new invented devices that it is necessary to regulate;

WHEREAS, Denver Water has moved directly to a Stage 2 drought and has stated that this may shape up to be the state's worst drought on record creating a more intense fire season;

WHEREAS, the National Interagency Fire Center predicts that the fire season will escalate by late May or early June;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that the Lakewood Municipal Code is hereby amended to read as follows:

SECTION 1. Section 5.20.010 of the Lakewood Municipal Code is amended by including Sky Lanterns in the definition of "Fireworks" as follows as set forth below. All other definitions in Sections 5.20.010 shall remain the same.

5.20.010 Definitions.

As used in this chapter unless the context otherwise requires:

"Fireworks" means any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, firecrackers, torpedoes, sky-rockets, sky lanterns, Roman candles, dayglo bombs, sparklers or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing an explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

SECTION 2. Emergency. This ordinance is necessary for the immediate preservation of the public peace, health and safety due to the Stage 2 drought declared by Denver Water and the prediction from the National Interagency Fire Center that the fire season will escalate by late May or early June. The standard 30-day effective date for ordinances would delay the City's ability to restrict the use of Sky Lanterns. This ordinance shall therefore take effect upon the Mayor's signature.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 13th day of May, 2013; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 16th day of May, 2013; set for public hearing on the 24th day of June, 2013, read, finally passed and adopted by the City Council on the ____ day of June, 2013 and, signed and approved by the Mayor on the ____ day of June, 2013.

Bob Murphy, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Tim Cox, City Attorney