

# CHAPTER 690

## Weapons and Explosives

690.01	Unlawful discharge.	690.99	Penalty.
690.02	Consumer Fireworks	690.03	Appearance Tickets.

### CROSS REFERENCES

Teaching or demonstrating use of - see M.C.L.A. Sec. 750.528a  
Arson - see M.C.L.A. Secs. 750.71 et seq.  
Construction or possession of explosive devices - see M.C.L.A. Sec. 750.211a  
Shooting galleries - see B.R. & T. Ch. 860  
Weapons and explosives in parks - see S.U. & P.S.1064.08  
Weapons and explosives in cemeteries - see S.U. & P.S.1066.03  
Storage of weapons and explosives - see F.P. 1610.08  
Blasting - see F.P. 1610.10

#### **690.01 UNLAWFUL DISCHARGE.**

No person shall discharge a bow and arrow, slingshot, paint pellet gun, BB gun, mechanical gun, air gun, firearm or air rifle, or other device designed to shoot, project, throw or hurl a projectile or projectiles made of steel, lead or other hard substances by means of compressed gas or air or other mechanical means, or explode any, explosive or stench bomb, except by written permission of the Police Chief.

(1976 Code Sec. 26.02. Ord. 606. Passed 7-7-02. Ord. 950, Passed 9-4-12)

#### **690.02. CONSUMER FIREWORKS**

##### (a) Definitions.

“Consumer Fireworks” means devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

“Display Fireworks” means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

“Low Impact Fireworks” means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

“National Holiday” means any of the following: New Year’s Day (January 1); Martin Luther King Jr. Day (third Monday in January); Washington’s Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September ); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).

## WEAPONS AND EXPLOSIVES

“Novelties” means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

- (i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.
- (ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.
- (iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

### (b) Prohibition on use of Consumer Fireworks.

No person shall ignite, discharge or use Consumer Fireworks within the city, except this prohibition shall not preclude any person from igniting, discharging and using Consumer Fireworks on the day proceeding, the day of or the day after a National Holiday. Notwithstanding the forgoing, no person shall ignite, discharge or use Consumer Fireworks between the hours of 1:00am and 8:00am the day preceding the day of or the day after a National Holiday.

(Ord. 977. Passed 7-15-13)

### (c) Penalty.

A person who violates this section is responsible for a municipal civil infraction.

(Ord. 950, Passed 9-4-12)

### **690.03 APPEARANCE TICKETS.**

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2); M.S.A. 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

(Ord. 353. Passed 5-17-93.)

### **690.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)