

ORDINANCE NO. 2607

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA,
NOBLE, TETER

AN EMERGENCY ORDINANCE AMENDING SECTION 5-41001 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO AMEND THE FIRE CODE OF THE CITY OF COMMERCE CITY, THE 2021 INTERNATIONAL FIRE CODE AS ADOPTED AND AMENDED, TO ALLOW THE LIMITED USE OF CERTAIN FIREWORKS IN COMMERCE CITY

WHEREAS, on May 15, 2023, through Ordinance 2488, the City Council adopted and amended the 2021 International Fire Code as the Fire Code of the City of Commerce City ("Fire Code"), with amendments, codified at Section 5-41001 of the Commerce City Revised Municipal Code (CCRMC);

WHEREAS, the City Council desires to authorize the limited use of legal fireworks in Commerce City, as set forth in the Fire Code, to "permissible fireworks" that are lawful in the State of Colorado only on December 31 and July 3 and 4, between the hours of 10:00 a.m. and 11:00 p.m., in a safe manner;

WHEREAS, the State of Colorado defines "permissible fireworks" to include small fireworks with limited pyrotechnic capacity such as cylindrical fountains, cone fountains, wheels, ground spinners, illuminating torches, dipped sticks and sparklers, snakes, glow worms, and tube devices that shower sparks no more than fifteen feet, among others, but excludes any aerial or audible devices, such as mortars, bottle rockets, roman candles, and firecrackers; and

WHEREAS, pursuant to Section 1-3003(e) of the CCRMC, a \$1000 mandatory penalty for a first offense and a \$2000 mandatory penalty for subsequent offenses are imposed on any person convicted for violations of any CCRMC provision, including the Fire Code, relating to the unlawful possession, manufacture, storage, sale, handling, discharge or use of fireworks, in addition to other applicable penalties;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest. This ordinance is declared to be an emergency ordinance and is enacted pursuant to Section 5.4 of the City Charter. The passage of this ordinance as an emergency ordinance is immediately necessary for the preservation of the public health, safety, and welfare and in the public interest for the reasons set forth in this ordinance.

SECTION 2. Amendment to Fire Code. Section 5-41001 of the C3BC and the Fire Code are amended as set forth in Exhibit A to this ordinance.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective immediately upon passage pursuant to Section 5.4 of the City Charter.

INTRODUCED AND PASSED AS AN EMERGENCY ORDINANCE AND
PUBLIC NOTICE ORDERED THIS 17TH DAY OF JUNE 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk