

ORDINANCE NO. _____

AN ORDINANCE CONCERNING RESTRICTIONS ON FIREWORKS; ADDING SECTION 4.934 TO THE EUGENE CODE, 1971; AMENDING SECTION 4.990 OF THAT CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 4.934 of the Eugene Code, 1971, is added to provide as follows:

4.934 **Fireworks Restrictions.** *In addition to restrictions on the sale, possession, use, detonation or explosion of fireworks under state law, it is unlawful to use, light, detonate, display or explode any fireworks anywhere in the city at any time except on January 1, July 3, 4, 5, and December 31. For purposes of this section, “fireworks” has the meaning given in Oregon Administrative Rule 837-012-0610 (2014).*

Section 2. Subsection (1) of Section 4.990 of the Eugene Code, 1971, is amended by adding the following entry to the list of penalties to provide as follows:

4.990 **Penalties - Specific.**

(1) Violation of the following sections is punishable by fine or confinement in jail, or both, up to the amounts indicated opposite each. In addition, the court may order any treatment, related to the violation, deemed necessary for rehabilitation of the offender and the safety of the community.

<u>Section</u>	<u>Penalty</u>
4.934	500 fine

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 4. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor’s veto. An immediate effective date is necessary to prevent risk of

physical injury, property damage and community disturbance on the days before and after the Fourth of July weekend.

Passed by the City Council this

___ day of _____, 2014

Approved by the Mayor this

___ day of _____, 2014

City Recorder

Mayor