

Introduced by: City Manager Wallace
Date: March 28, 2017
Public Hearing: April 11, 2017
Action: Adopted
Vote: Unanimous

Yes:	No:
Best	
Carrington	
Combs	
DeVries	
Fuller	
Hanson	
LaFrance	

CITY OF PALMER, ALASKA

Ordinance No. 17-006

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 8.42.010 Definitions and Section 8.42.030 Use Prohibited to Define Sky Lanterns and Prohibit the Use of Sky Lanterns in the City of Palmer

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code is hereby amended to read as follows (new language is underlined and deleted language is stricken):

Chapter 8.42 - FIREWORKS

8.42.0110 Definitions.

In this chapter, the definition of "fireworks" includes any:

- A. Combustible or explosive composition or any substance producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
- B. Blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used;
- C. Roman candles, daygo bombs, or any other fireworks of like construction which contain any explosives or flammable compound, or any tablets or other device containing any explosive substance;
- D. The term "fireworks" shall not include sky lanterns, ~~auto~~ road flares or novelties ~~paper caps~~. ~~not containing in excess of an average of 25 hundredths of a grain of explosive content per cap manufactured in accordance with the Interstate Commerce Commission regulations for packing and shipping, as provided therein, and toy pistols, toy canes, toy guns, or other devices for use of such caps, the same any use of which shall be permitted at all times.~~

1. Sky Lanterns are an airborne lantern typically made of paper with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a source to heat the air inside of the lantern to cause it lift into the air including "sky candles", "air paper lanterns", "Chinese lanterns", and other similar devices designed to be levitated by open flame and released into the air uncontrolled.

2. Road flares (fusee) are type of flare which burns for 10–60 minutes with a bright red light. Road flares are commonly used to indicate obstacles or advise caution on roadways at night; in this usage, they are also called *highway flares, traffic flares, or ground flares*. They are commonly found in roadside emergency kits.

3. Novelties are a device containing small amounts of pyrotechnic and/or explosive composition. Such devices produce limited visible or audible effects. Authorized novelties in the city limits of Palmer are listed below.

a. Party Poppers are a small device with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device.) They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than 16 mg (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus.

b. Snappers are a small, paper-wrapped device containing not more than 1.0 mg of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report.


c. Toy caps are for toy pistols in sheets, strips, rolls, or individual caps, containing not more than an average of 0.25 grains (16 mg) of explosive composition per cap. Toy caps are described as Toy Caps NA0337 and classed as 1.4S.

8.42.030 Use Prohibited.

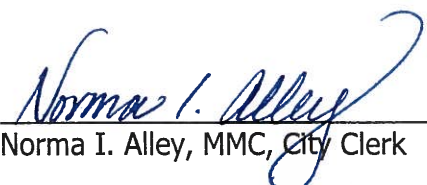
Except as provided in this chapter, it is unlawful to discharge fireworks or sky lanterns within the city.

Section 4. Effective Date. Ordinance No. 17-006 shall take effect upon adoption by the City of Palmer City Council.

Adopted this 11th day of April, 2017.



Edna B. DeVries, Mayor



Norma I. Alley, MMC, City Clerk