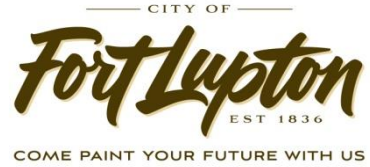


**CITY OF FORT LUPTON
CITY COUNCIL**



Zo Stieber, Mayor

Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-053

**ADOPT AN ORDINANCE AMENDING ARTICLE XII, SECTION 10-264 FIREWORKS PROHIBITED,
OF THE FORT LUPTON MUNICIPAL CODE**

- I. **Agenda Date:** Council Meeting – February 18, 2020

- II. **Attachments:** a. Ordinance 2020-XXXX

- III. **Summary Statement:**

An ordinance to amend the fireworks prohibited section of the Fort Lupton Municipal Code to align with the International Fire Code and Colorado Revised Statues.

IV. **Submitted by:** _____
Court Coordinator

V. **Finance Reviewed** _____
Finance Director

VI. **Approved for Presentation:** _____
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk Date

IX. Detail of Issue/Request:

The City's firework ordinance covers fireworks that are allowable in city limits. Based upon the ordinance, fireworks are not allowed.

The City has adopted the International Fire Code. The most recent International Fire Code updated the article addressing fireworks and is no longer in Article 78. This ordinance change renews the reference to International Fire Code.

In addition, the current ordinance does not mention State of Colorado firework regulations. This change will align our code with what the State allows.

X. Legal/Political Considerations:

XI. Alternatives/Options:

- 1) Make no changes to the Ordinances and not allow fireworks within city limits,*
- 2) Make changes to the Ordinances in accordance to the International Fire Code and Colorado Revised Statues.*

XII. Financial Considerations:

None.

XIII. Staff Recommendation:

Staff recommends adoption of the ordinance.

ORDINANCE NO. 2020-XXXX

INTRODUCED BY:

AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO, AMENDING CHAPTER 10, ARTICLE XII MISCELLANEOUS OFFENSE, SECTION 10-264 FIREWORKS PROHIBITED OF THE FORT LUPTON MUNICIPAL CODE

WHEREAS, City Council deems it necessary to revise the specific provisions of the Fort Lupton Municipal Code; and

WHEREAS, The International Fire Code and the Colorado Revised Statutes allows for the use of fireworks; and

WHEREAS, City Council finds that it is the best interest of the health, safety and welfare of the citizens that the provisions set forth herein be enacted.

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

Section 1: Chapter 10, Article XII, of the Fort Lupton Municipal Code is hereby amended as follows:

Sec. 10-264.

It shall be unlawful for any person to use or possess fireworks in violation of the International Fire Code as adopted by reference by this Code and the Colorado Revised Statutes Title 24, Article 33.5, Part 20, et seq., as amended.

(Prior code 9-526-3-1; Ord. 645 §1, 1993; Ord. 2005-850, Part 1)

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 18TH day of February 2020.

PUBLISHED in the Fort Lupton Press the 26th day of February 2020.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED FINALLY PUBLISHED by title only this __day of __ 2020.

PUBLISHED in the Fort Lupton Press the __ day of __ 2020.

EFFECTIVE (after publication) the __day of __ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney