

HOUSE BILL No. 5832

September 8, 2016, Introduced by Rep. Lane and referred to the Committee on Regulatory Reform.

A bill to amend 2011 PA 256, entitled
"Michigan fireworks safety act,"
by amending section 7 (MCL 28.457), as amended by 2013 PA 65.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) Except as provided in this act, a local unit of
2 government shall not enact or enforce an ordinance, code, or
3 regulation pertaining to or in any manner regulating the sale,
4 display, storage, transportation, or distribution of fireworks
5 regulated under this act.

6 (2) A local unit of government **LOCATED IN A COUNTY WITH A**
7 **POPULATION OF 750,000 OR MORE** may enact an ordinance regulating the
8 ignition, discharge, and use of consumer fireworks, including, but
9 not limited to, an ordinance prescribing the **DAYS OF THE YEAR AND**

1 hours of the day or night during which a person may ignite,
2 discharge, or use consumer fireworks. ~~If a local unit of government~~
3 ~~enacts an ordinance under this subsection, the ordinance shall not~~
4 ~~regulate the ignition, discharge, or use of consumer fireworks on~~
5 ~~the day preceding, the day of, or the day after a national holiday~~
6 ~~except as follows:~~

7 ~~—— (a) A local unit of government with a population of 50,000 or~~
8 ~~more or a local unit of government located in a county with a~~
9 ~~population of 750,000 or more may regulate the ignition, discharge,~~
10 ~~or use of consumer fireworks between the hours of 12 midnight and 8~~
11 ~~a.m. or between the hours of 1 a.m. and 8 a.m. on New Year's day.~~

12 ~~—— (b) A local unit of government with a population of less than~~
13 ~~50,000 located in a county with a population of less than 750,000~~
14 ~~may regulate the ignition, discharge, or use of consumer fireworks~~
15 ~~between the hours of 1 a.m. and 8 a.m.~~

16 (3) An ordinance under subsection (2) shall only impose a
17 civil fine of not more than \$500.00 for each violation of the
18 ordinance and no other fine or sanction.

19 Enacting section 1. This amendatory act takes effect 90 days
20 after the date it is enacted into law.