

TEMPORARY ORDINANCE NO. 53-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE PART FIVE – GENERAL OFFENSES CODE AND ADOPT CHAPTER 550 – FIREWORKS

WHEREAS, at its September 15, 2025, special meeting, Lancaster City Council discussed limiting consumer fireworks within the corporation limits for the purpose of public safety; and

WHEREAS, that discussion made it clear that a permit process for allowing citizens to continue to use consumer fireworks could lead to confusion and place too large a strain on safety forces; and

WHEREAS, at the conclusion of the meeting, the Law Committee Chair offered to sponsor an ordinance to be drafted by the Law Director, specifically Chapter 550 – Fireworks, attached hereto as Exhibit A, to regulate the discharge and explosion of fireworks within the municipal corporation limits; and

WHEREAS, this new codified ordinance is necessary to remediate citizen complaints regarding fireworks displays on private property; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That Part Five – General Offenses, Chapter 550 – Fireworks, shall hereby be adopted and enacted pursuant to “Exhibit A” attached hereto and incorporated herein by reference.

SECTION 2. That City Council hereby finds that this Ordinance was deliberated upon and passed in an open meeting in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

Clerk: _____

President of Council

Mayor

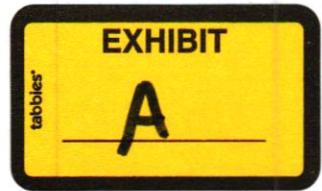
Offered by: _____

Second by: _____

Requested by Law Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council



**CODIFIED ORDINANCES OF LANCASTER
PART FIVE - GENERAL OFFENSES CODE**

- Chap. 501. General Provisions and Penalty.**
- Chap. 503. Alarm Systems.**
- Chap. 505. Animals and Fowl.**
- Chap. 509. Disorderly Conduct and Peace Disturbance.**
- Chap. 513. Drug Abuse Control.**
- Chap. 515. Felon Registration.**
- Chap. 517. Gambling.**
- Chap. 521. Health, Safety and Sanitation.**
- Chap. 525. Law Enforcement and Public Office.**
- Chap. 529. Liquor Control.**
- Chap. 531. Obscene Materials, Performances and Other Matters.**
- Chap. 533. Obscenity and Sex Offenses.**
- Chap. 537. Offenses Against Persons.**
- Chap. 541. Property Offenses.**
- Chap. 545. Theft and Fraud.**
- Chap. 549. Weapons and Explosives.**
- Chap. 550. Fireworks**
- Chap. 553. Railroads.**
- Chap. 561. Streets and Sidewalks. (Repealed)**
- Chap. 565. Weeds and Trees.**
- Chap. 567. Civil Penalties for Violations Under Live Digital Video School**

**CHAPTER 550
Fireworks**

- 550.01 Definitions.**
- 550.02 Public Exhibition Permit Required; fee; Bond; Records**
- 550.03 Unlawful Conduct by Exhibitor**
- 550.04 Discharge, or Explosion Prohibited; Exceptions**
- 550.99 Penalty**

CROSS REFERENCES

Manufacturers to comply with building and zoning ordinances –

See Ohio R.C. 3743.06(F)

Wholesalers to comply with building and zoning ordinances – See

Ohio R.C. 3743.19(G)

Arrests, seizure of fireworks by certified fire safety inspector –

See Ohio R.C. 3743.68

Conflict of Fire Marshal's rules with rules of Ohio Board of

Building Standards – see Ohio R.C. 3781.11(D)

550.01 DEFINITIONS.

As used in this chapter:

- (a) “Booby trap” means a small tube that has a string protruding from both ends that has a friction-sensitive composition and that is ignited by pulling the ends of the string.
- (b) “Cigarette load” means a small wooden peg that is coated with a small quantity of explosive composition and that is ignited in a cigarette.
- (c) “Controlled substance” has the same meaning as in Ohio R.C. § 3719.01.
- (d) “Discharge site” is an area immediately surrounding the mortars used to fire aerial shells.
- (e) “Fireworks” means any composition or device prepared for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, except ordinary matches and except as provided in Ohio R.C. § 3743.80.
- (f) “Licensed exhibitor of fireworks” or “licensed exhibitor” means a person licensed pursuant to Ohio R.C. § 3743.50 to 3743.55.
- (g) “Licensed manufacturer of fireworks” or “licensed manufacturer” means a person licensed pursuant to Ohio R.C. § 3743.02 to 3743.08.
- (h) “Licensed wholesaler of fireworks” or “licensed wholesaler” means a person licensed pursuant to Ohio R.C. § 3743.15 to 3743.21.
- (i) “Novelties and trick noisemakers” include the following items:
 - 1. Devices that produce a small report intended to surprise the user, including, but not limited to, booby traps, cigarette loads, party poppers, and snappers;
 - 2. Snakes or glow worms;
 - 3. Smoke devices;
 - 4. Trick matches;
 - 5. Wire sparklers.
- (j) “Party popper” means a small plastic or paper item that contains not more than sixteen milligrams of friction-sensitive explosive composition, that is ignited by pulling string protruding from the item, and from which paper streamers are expelled when the item is ignited.
- (k) “Smoke device” means a tube or sphere that contains pyrotechnic composition that, upon ignition produces white or colored smoke as the primary effect.
- (l) “Snake or glow worm” means a device that consists of a pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning, which ash expands in length as the pellet burns.

- (m) "Snappers" means a small, paper-wrapped item that contains a minute quantity of explosive composition coated on small bits of sand, and that, when dropped, implodes.
- (n) "Trick match" means a kitchen or book match that is coated with a small quantity of explosive composition and that, upon ignition, produces a small report or a shower of sparks.
- (o) "Wire sparklers" mean a hand-held or ground mounted device, consisting of a wire or dowel, coated in a slow-burning pyrotechnic mixture, which produces a primary effect of a shower of sparks as it burns, without a loud report or propelling itself.

550.02 PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS

- (a) A licensed exhibitor of fireworks who wishes to conduct a public fireworks exhibition within the City of Lancaster shall apply for approval to conduct the exhibition to the Fire Chief and the Police Chief. The required approval shall be evidenced by the Fire Chief's and Police Chief's signing a permit for the exhibition, the form for which shall be prescribed by the State Fire Marshal. Any exhibitor of fireworks who wishes to conduct a public fireworks exhibition may obtain a copy of the form from the Fire Marshal or, if it is available, from the City.
- (b) Before signing a permit and issuing it to a licensed exhibitor of fireworks, the Fire Chief and Police Chief shall inspect the premises on which the exhibition will take place and shall determine that, in fact, the applicant for the permit is a licensed exhibitor of fireworks. Each applicant shall show his licenses as an exhibitor of fireworks to the Fire Chief and Police Chief. The Fire Chief and Police Chief shall independently give their approval to conduct a public fireworks exhibition only if he is satisfied, based on the inspection, that the premises on which the exhibition will be conducted allows the exhibitor to comply with the rules adopted by the Fire Marshal pursuant to Ohio Rev. Code § 3743.53(B) and that the applicant is, in fact, a licensed exhibitor of fireworks. The Fire Chief and Police Chief may inspect the discharge site immediately prior to the exhibition to determine if the exhibitor has complied with the rules and may revoke the permit for noncompliance with the rules.
- (c) The Fire Chief and Police Chief shall not issue a permit until the applicant pays a permit fee of plus any necessary costs of investigation of the applicant and of inspecting the premises on which the exhibition will be conducted. Each exhibitor shall provide an indemnity bond in the amount of at least one million dollars (\$1,000,000.00) with surety satisfactory to the City, conditioned for the payment of all final judgments that may be rendered against the exhibitor on account of injury, death, or loss to persons or property emanating from the fireworks exhibition, or proof of insurance coverage of at least one million dollars (\$1,000,000.00) for liability arising from injury, death, or loss to persons or property emanating from the fireworks exhibition. The Service Safety Director may require the exhibitor to provide an indemnity bond or proof of insurance coverage in amounts greater than those required by this subsection. The Fire Chief shall not issue a permit until the exhibitor provides the bond or proof of insurance coverage required by this subsection.
- (d) Each permit for a fireworks exhibition issued by the Fire Chief and Police Chief

shall contain a distinct number, together with a designation of the municipality. A copy of each permit issued shall be forwarded by the Fire Chief to the Fire Marshal, who shall keep a record of the permits he receives.

- (e) The Fire Chief and Police Chief shall keep a record of issued permits for fireworks exhibitions.

550.03 UNLAWFUL CONDUCT BY EXHIBITOR.

- (a) No licensed exhibitor of fireworks shall fail to comply with the rules adopted by the Fire Marshal pursuant to Ohio R.C. 3743.53(B).
- (b) No licensed exhibitor shall conduct a fireworks exhibition unless a permit has been secured for the exhibition pursuant to Section 550.02 or if a permit so secured is revoked.
- (c) No licensed exhibitor of fireworks shall acquire fireworks for use at a fireworks exhibition other than in accordance with Ohio R.C. 3743.54 and 3743.55.
- (d) No licensed exhibitor of fireworks or other person associated with the conduct of a fireworks exhibition shall have in his possession or under his control, or be under the influence of any alcoholic beverage, adult use cannabis, or controlled substance, while on the premises on which the exhibition is being conducted.

550.04 DISCHARGE, OR EXPLOSION PROHIBITED; EXCEPTIONS.

- (a) No person shall discharge or explode fireworks within the corporate limits of the municipality.
- (b) Except as otherwise provided below, this section does not apply to the following individuals or entities:
 - (1) A licensed manufacturer of fireworks as authorized by Ohio R.C. 3743.02 to 3743.08;
 - (2) A licensed wholesaler of fireworks as authorized by Ohio R.C. 3743.15 to 3743.21;
 - (3) A licensed exhibitor of fireworks as authorized by Ohio R.C. 3743.50 to 3743.55, and Section 550.02, and except as provided in Section 550.05.
 - (4) Persons using, discharging, or exploding novelties and trick noisemakers.

550.99 PENALTY

- (a) Whoever violates Section 550.03 is guilty of a misdemeanor of the first degree.
- (b) Whoever violates Section 550.04 is guilty of a minor misdemeanor on the first offense, and a misdemeanor of the fourth degree upon subsequent offenses.