

ORDINANCE NO. 2022 – 21
TO AMEND CHAPTER 22, ARTICLE V, SECTION 22-109
OF THE CODE OF ORDINANCES OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS IT FOLLOWS:

SECTION I. Purpose. The purpose of this Ordinance is to modify, amend or delete portions of Chapter 22 (Fire Prevention and Protection), Article V (Fireworks), Section 22-109 (Definitions) of the Code of Ordinances of the City of Cullman of and concerning the terms and definitions regarding pyrotechnics and their prohibition within the city limits.

SECTION II. Chapter 22 (Fire Prevention and Protection), Article V (Fireworks), Section 22-109 (Definitions) of the Code of Ordinances of the City of Cullman, is hereby deleted in its entirety and replaced with the following:

Section 22-109. As used in this Chapter, the term "pyrotechnics" means any:

1. Aerial devices – Any type of Department of Transportation Class C Consumer Fireworks listed in the *American Pyrotechnics Association*, (“APA”) 87-1, Sections 3.1.2 and 3.5;
2. Audible ground devices – Any type of Department Class C Consumer Fireworks listed in the APA 87-1, Sections 3.1.3;
3. Novelties – Any device listed in APA 87-1, Section 3.2, including without limitation, “Party poppers,” “Snappers,” “Toy smoke devices,” “Snake, glow worms,” and “Wire sparklers/dipped sticks;”
4. Sparkling devices – Handheld or ground based sparkling devices that are non-explosive and non-aerial and contain 75 grams or less of chemical compound per tube, or a total of 500 grams or less for multiple tubes and other sparkling devices which emit showers of sparks and sometimes a whistling, spinning or crackling effect when burning, but does not include aerial devices, audible ground devices, or anything that will detonate or explode;
5. Squib;
6. Rocket;
7. Firecracker;
8. Roman Candle;
9. Fire Balloon;
10. Signal Light;
11. Fireworks; or
12. Other device or composition used to obtain a visible or audible pyrotechnic display.

SECTION III. Severability Clause. Each and every provision of this Ordinance are hereby declared to be an independent provision and the holding of any provision hereof to be void or invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provisions which might have been invalid.

SECTION IV. Effective Date. This Ordinance shall be effective on July 5th, 2022 following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 27th day of June, 2022.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR this the 27th day of June, 2022.

Mayor