

**MANCELONA TOWNSHIP**  
**COUNTY OF ANTRIM, STATE OF MICHIGAN**  
**MANCELONA TOWNSHIP ORDINANCE NO. 22**  
**ADOPTED DATE: 7-19-2021**  
**EFFECTIVE DATE: 8-28-2021**

MANCELONA TOWNSHIP CONSUMER FIREWORKS ORDINANCE

An ordinance to secure the public health, safety and general welfare of the citizens of Mancelona Township, Antrim County, Michigan, by regulating the use of Consumer Fireworks in the Township, as provided in Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) and pursuant to Public Act 246 of 1945 (MCL 41.181 *et seq.*); an ordinance to repeal and replace Mancelona Township Ordinance No. 13 “*Fireworks Ordinance*”

**MANCELONA TOWNSHIP ORDAINS:**

**Section 1: Findings.** The Mancelona Township Board makes the following findings: Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Mancelona Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Mancelona Township to enact an ordinance regulating the ignition, discharge, and use of Consumer Fireworks. The Township Board believes an ordinance prohibiting the ignition, discharge, and use of Consumer Fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare.

**Section 2: Title.** This ordinance shall be known and cited as the Mancelona Township Consumer Fireworks Ordinance.

**Section 3: Definitions.** The following definitions apply for purpose of this Ordinance:

A. Consumer Fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. consumer fireworks do not include low-impact fireworks.

B. Low-Impact Fireworks: Ground and handheld sparkling devices as that phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

C. Sky Lantern: An unmanned device with a combustible fuel source that incorporates an open flame in order to make the device airborne.

**Section 4: Ignition, Discharge, and Use of Consumer Fireworks.** The ignition, discharge, and use of Consumer Fireworks in Mancelona Township is prohibited at all times except after 11 a.m. on the following days:

- A. December 31 until 1 a.m. on January 1
- B. The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- C. June 29 to July 4 until 11:45 p.m. on each of those days.
- D. July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- E. The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

A person shall not ignite, discharge, or use consumer Fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.

**Section 5: Use of Sky Lanterns.** No person shall release or cause to be released an untethered sky lantern.

**Section 6: Severability.** This Ordinance shall be deemed severable and if any word, sentence, clause, section, or provision is declared invalid or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this Ordinance and the remaining portions of this Ordinance shall remain valid and enforceable.

**Section 7: Penalty.** A violation of this Ordinance is a civil infraction, subject to a fine of \$1,000.00 for each violation and court costs, if any. \$500.00 of the fine collected under the Ordinance shall be remitted to the local law enforcement agency responsible for enforcing the Ordinance.

**Section 8: Enforcement.** The Antrim County Sheriff and his deputies are authorized as local enforcement officers of this Ordinance.

**Section 9: Repeal.** The Mancelona Township Fireworks Ordinance No. 13 and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 10: Effective Date.** This Ordinance shall take effect 30 days following the date of publication.

MANCELONA TOWNSHIP – ORDINANCE CERTIFICATION

At a regular meeting of the Mancelona Township Board, Antrim County, Michigan, held at the Mancelona Township Hall located at 9601, South M-88 Hwy., Mancelona, Antrim County, Michigan on July 19, 2021, 2021, at 6:00p.m.:

PRESENT: Jessie Ayoub, Chuck Johnson, Donna Gundle Krieg, Rod Vesey, Mike Biehl

ABSENT: None

Ordinance No. 22, the Mancelona Township Consumer Fireworks Ordinance, was considered by the Board and upon motion made and seconded, the Township Board duly adopted said Ordinance upon the following vote:

YEAS: Jessie Ayoub, Chuck Johnson, Donna Gundle Krieg, Rod Vesey, Mike Biehl.

NAYS: None

I, MICHAEL BIEHL, Clerk of the Township of Mancelona, hereby certify that said Ordinance was adopted by the Mancelona Township Board at said meeting as set forth above; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act; that a synopsis of said Ordinance was published in the Antrim County Review on July 29, 2021 and that a true and complete copy of said Ordinance can be inspected or obtained at the office of the Mancelona Township Clerk in the Mancelona Township Hall.

---

MICHAEL BIEHL, TOWNSHIP CLERK