



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-1857

Type: Bill (Ordinance) **Status:** Failed

File created: 4/25/2023 **In control:** Public Health and Safety Committee

On agenda: 6/6/2023 **Final action:** 6/6/2023

Title: An ordinance to amend Section 10.68.020 of the Metropolitan Code of Laws relative to fireworks.

Sponsors: Dave Rosenberg

Indexes:

Code sections:

Attachments: 1. Proposed Amendment 1 - BL2023-1857 - Rosenberg, 2. Proposed Amendment 2 - BL2023-1857 - Rosenberg, 3. Proposed Amendment 3 - BL2023-1857 - Pulley

Date	Ver.	Action By	Action	Result
6/6/2023	1	Metropolitan Council	amended	Pass
6/6/2023	1	Metropolitan Council	failed	Fail
5/16/2023	1	Metropolitan Council	deferred	
5/2/2023	1	Metropolitan Council	referred	
5/2/2023	1	Metropolitan Council	passed on first reading	
4/25/2023	1	Metropolitan Council	filed	

An ordinance to amend Section 10.68.020 of the Metropolitan Code of Laws relative to fireworks.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE:

Section 1. That Section 10.68.020 of the Metropolitan Code of Laws by designating the existing provisions as Subsection A and adding the following as a new Subsection B:

B. Notwithstanding subsection A, a person may use or explode a firework if the following conditions are met:

1. The firework is classified as 1.4G fireworks and contains proper labeling.
2. The fireworks are used or exploded on July 3, 4, or 5 between the hours of noon and 11 p.m.
3. All persons using the fireworks as provided in this subsection shall:
 - a. not use, explode, ignite, or discharge fireworks on public roadways, streets, sidewalks, or any other public owned property; within six hundred feet (600') of any place of worship, hospital, public school, or park; or within two hundred feet (200') of gas station; or throw any fireworks from a motor vehicle or into a motor vehicle or near any person or group of persons;
 - b. have attained the minimum age of sixteen (16) years unless they are accompanied by a person who has attained the minimum age of eighteen (18) years;
 - c. make every reasonable effort to contain the fireworks and the debris on the users' property;
 - d. collect and properly dispose of debris from the fireworks immediately upon termination of the use, explosion, igniting, or discharge; and

- e. if the person using, exploding, igniting, or discharging the fireworks as provided in this section does not own the property upon which the person is using or igniting the fireworks, have obtained the owner's permission for the use, explosion, igniting, or discharge of fireworks and ensure the owner is present during the entire time of use, explosion, igniting, or discharge.

Section 2. This ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 10.68.020 of the Metropolitan Code of Laws relative to fireworks.

Under current Metro law, no person, firm, partnership, or corporation is authorized to sell, use, or explode any fireworks in Davidson County without a permit.

This ordinance would allow a person to use or explode fireworks if the following conditions are met:

- The firework is classified as 1.4G fireworks and contain proper labeling.
- The fireworks are used or exploded on July 3, 4, or 5 between the hours of noon and 11 p.m.
- All persons using fireworks:
 - Have not used the firework within 600 feet of any place of worship, hospital, public school, or park; or within two hundred feet (200') of gas station; or thrown any fireworks from a motor vehicle or into a motor vehicle or near any person or group of persons;
 - Have attained the minimum age of 16, unless accompanied by a person who has attained the minimum age of 18;
 - Make reasonable efforts to contain the fireworks and debris on the users' property;
 - Collect and properly dispose of any debris from the fireworks;
 - If not the owner of the property where fireworks are used, has obtained the permission of the property owner for using, exploding, igniting, or discharging the fireworks and the owner is present during the use of the fireworks.