

CITY OF MARGATE, FLORIDA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, SUPPORTING THE CITY COMMISSION'S EFFORTS TO ENFORCE ALL CODE PROVISIONS CONCERNING THE USE OF FIREWORKS IN THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

**WHEREAS**, according to the 2015 Fireworks Annual Report ("Report") by the Consumer Product Safety Commission ("CPSC"), released June 2016, there were 11 non-occupational, fireworks-related deaths during 2015, and an average of 7.4 reports of fireworks-related deaths per year; and

**WHEREAS**, according to the Report, fireworks were involved in or the cause of an estimated 11,900 injuries treated in United States hospital emergency departments during calendar year 2015; and

**WHEREAS**, according to the Report, there were an estimated 1,900 emergency department-treated injuries associated with sparklers and 800 due to the use of bottle rockets; and

**WHEREAS**, long before the Florida legislature enacted a moratorium banning local governments from enacting further legislation concerning the use of fireworks, the City Commission enacted Section 33-79(i), City Code, declaring the use of fireworks, explosives or other explosive devices without first obtaining a permit to be loud, disturbing and / or excessive noise in violation of the Code; and

**WHEREAS**, since the City's Code prohibition was enacted long before the state's ban on further legislation, the City may enforce, and administration is hereby directed to enforce, its long standing ban on the use of illegal fireworks in the City, whether that be during certain celebrations such as July 4<sup>th</sup> and New Year's, or at any other time of the year; and

**WHEREAS**, the City Commission has been informed that there are insufficient resources available to the City's police department, during certain specially recognized celebrations such as July 4<sup>th</sup> and New Year's, or at other specially recognized

celebratory time of the year, to enforce the current ban on the use of fireworks in the City; and

**WHEREAS**, the City Commission remains concerned about the health, safety and welfare of the City's residents, and desires to do everything it can to protect its residents from the harmful effects of illegal fireworks use, including the likelihood of physical injury, as well as the deleterious effects on domestic animals and wildlife.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

**SECTION 1:** That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

**SECTION 2:** That the City Commission of the City of Margate, Florida, supports the City Administration's efforts to provide for adequate law enforcement of existing federal, state, and local laws related to the use of illegal fireworks and desires that all City codes pertaining to same be enforced to the full extent of the law.

**SECTION 3:** That this Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR TOMMY RUZZANO

RECORD OF VOTE

Simone	_____
Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____