

ORIGINAL
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ORDINANCE NO. 2023-093

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14,
Article IV, Sec. 14-108, Discharge of Fireworks*

BE IT ORDAINED by the Mayor and Council this 21st day of November, 2023, that Chapter 14, Article IV, Sec. 14-108, Discharge of Fireworks of the 1998 Code of Ordinances of the City of Columbia, South Carolina, is amended to read as follows:

Sec.14-108. Discharge of Fireworks.

- (a) Except as otherwise provided in this section, it is unlawful for a person to use, discharge, shoot, or ignite fireworks or similar explosives within the city between the hours of 10:00 p.m. and 7:00 a.m. This section may not be construed to prohibit the discharge or lighting of sparklers or similar pyrotechnic products which generate no appreciable noise at any time. For the purposes of this section, "fireworks" is a term as defined by S.C. Code 1976, § 40-56-20.
- (b) Notwithstanding the provisions of subsection (a), the permitted hours for the use of fireworks must be extended on the Fourth of July and New Year's Eve to include the hours of 10:00 p.m. July 4th - 1:00 a.m. on July 5th and 10:00 p.m. December 31st - 1:00a.m. January 1st.
- (c) It is unlawful to:
 - (1) Negligently, recklessly, or intentionally direct the discharge of fireworks towards a structure, animal, or person;
 - (2) Intentionally detonate fireworks upon the land of another without express prior consent;
 - (3) Offer for sale or sell permissible fireworks to children under the age of 16 years unless accompanied by a parent;
 - (4) To ignite or detonate fireworks within 600 feet of a church, hospital, public school;
 - (5) To ignite or detonate permissible fireworks within a motor vehicle or discharge a permissible fireworks from a motor vehicle;
 - (6) To place or throw an ignited firework into or at a motor vehicle; and
 - (7) Intentionally dump, throw, drop, deposit, discard, or otherwise discharge fireworks onto another's property without express prior consent.
- (d) A violation of this section is punishable by a civil penalty of up to \$100.00 for a first offense, \$250.00 for a second offense and \$500.00 for a third or subsequent offense. Each violation of this section may be punished as a separate offense. Second, third, and subsequent violations are those occurring within a period of five years from the date of a previous violation.
- (e) After three separate violations in a single location over a period of six months, the location can be declared to be a public nuisance and subject to the nuisance provisions of Chapter 8, article II of the Columbia City Code.
- (f) Nothing in this section may be construed to prohibit within the city the use of flares or similar devices necessary for the safe operation of railroads, buses, trucks, or other vehicles within the city or that is necessary during emergencies.

- (g) Nothing in this section shall be read to supersede or otherwise be exempt from the requirements of Columbia City Code Chapter 9, Fire Prevention and Protection.
- (h) Any firework display permitted by the city and state fire marshal is exempt from subsection (a), (b), and (c)(4) of this section.

This ordinance shall become effective upon second reading.


Requested by:

Councilman Howard Duvall

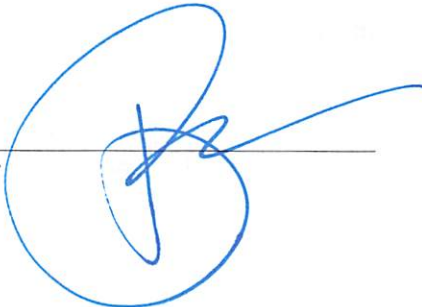
Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 10/17/2023
Final Reading: 11/21/2023


Mayor

ATTEST:


City Clerk