

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 16-43**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 10, TO A ADD A NEW SECTION 6-354 OF THE GREENWOOD MUNICIPAL CODE, AS AMENDED, RELATING TO FIREWORK REGULATIONS AND AMENDING SECTION 6-277 OF THE MUNICIPAL CODE RELATING TO NOISE REGULATIONS**

WHEREAS, Ind. Code § 22-11-14-10.5 provides that a local municipality may adopt an ordinance concerning the use of consumer fireworks within its corporate limits subject to certain date and hour limitations expressly provided for in state statute;

WHEREAS, the City of Greenwood desires to regulate the use of consumer fireworks within its corporate limits in order to limit noise nuisances and to protect the rights of residents to exercise the right of quiet enjoyment of their property; and

WHEREAS, an amendment to Greenwood’s current noise regulations is also necessary to effectuate this desired outcome.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, AS FOLLOWS:

**Section 1.** Greenwood Municipal Code (1993), as amended, Chapter 6, Article 10, is hereby amended by inserting an additional Section 6-354 to read as follows:

**“Sec. 6-354 Consumer Fireworks Regulations.**

(a) The use of consumer fireworks is prohibited within the Greenwood city limits except as follows:

- (1) Between the hours of 5:00 p.m. and 2 hours after sunset on June 24 through July 11 each year.
- (2) Between the hours of 10:00 a.m. and 12:00 midnight on July 4 each year.
- (3) Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1 each year.

(b) The Board of Public Works and Safety is authorized to authorize waivers from this Section under the provisions of Sec. 6-277(d) related to noise regulations.”

**Section 2.** Greenwood Municipal Code (1993) Chapter 6, Article 6, Section 6-277, subsection (c)(4) is hereby amended by adding the following words to the end of its current language “and Greenwood Municipal Code Sec. 6-354.”

**Section 3.** All prior ordinances or parts thereof inconsistent with any provision of this ordinance are hereby repealed. This Ordinance shall have no effect upon any other sections of the Greenwood Municipal Code (1993) or ordinances not specifically changed by this Ordinance, except as herein provided, and all other sections of the Greenwood Municipal Code (1993) not inconsistent herewith shall remain the same.

**Section 4.** The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**Section 5.** This ordinance shall be in full force and effect after its passage, approval and publication according to law.

Adopted by the Common Council of the City of Greenwood, Indiana, this 1st day August, 2016.

Michael Campbell  
Michael Campbell, President  
Greenwood Common Council

FOR:

AGAINST:

Linda S. Gibson

Linda S. Gibson \_\_\_\_\_

Ezra J. Hill

Ezra J. Hill \_\_\_\_\_

Bruce Armstrong

Bruce Armstrong \_\_\_\_\_

Ronald Bates

Ronald Bates \_\_\_\_\_

J. David Hopper

J. David Hopper \_\_\_\_\_

David Lekse

David Lekse \_\_\_\_\_

Michael Campbell

Michael Campbell \_\_\_\_\_

Brent Corey

Brent Corey \_\_\_\_\_

Charles Landon

Charles Landon \_\_\_\_\_

ATTEST:

Jeannine Myers  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 1st day of August, 2016, is presented by me this 3rd day of August, 2016, at twelve O'Clock P.M., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 1st day of AUGUST, 2016, is signed and approved by me this 3rd day of AUGUST, 2016, at 4:00 O'Clock P.M.

Mark W. Myers  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana