

Whereupon Council Member Hoy moved that the following Resolution be adopted:

RESOLUTION NO. 06-21-2960

RESOLUTION FOR SETTING FINES FOR VIOLATION OF FIREWORKS ORDINANCE

WHEREAS, Eldora Municipal Ordinance section 41.11(3) prohibits the unauthorized use or exploding of consumer or display fireworks within the City limits; and

WHEREAS, Eldora Municipal Ordinance section 41.11(3) states that “a violation of this section constitutes a municipal infraction and may be enforced according to the provision of Chapter 4 of this ordinance”; and

WHEREAS, Eldora Municipal Ordinance section 41.11(4) states that fines shall be set by resolution of the City Council; and

WHEREAS, Section 727.2(2) and (3), Code of Iowa, mandates a minimum fine of \$250.00 for the prohibited use or explosion of display or consumer fireworks when such devices are prohibited or limited by an ordinance adopted by the county or city in which the fireworks are used; and

WHEREAS, the City Council believes it to be in the public interest and in the interest of fair and equitable enforcement of this ordinance that a Schedule of Fines for a first, second, and third or more offense be set.

NOW THEREFORE, BE IT RESOLVED that the following Schedule of Fines be adopted:

Use or explosion of consumer/display fireworks without a permit, 1st offense—\$250.00

Use or explosion of consumer/display fireworks without a permit, 2nd offense—\$500.00

Use or explosion of consumer/display fireworks without a permit, 3rd or subsequent offense—\$750.00

The motion was seconded by Council Member Johns and after due consideration thereof, the roll was called, and the following Council Members voted:

AYES: Hoy, Johns, Jones, Priske & Kramer

NAYES: None

ABSENT: None

Whereupon, Mayor David W Dunn declared said Resolution duly passed and adopted this 8th day of June, 2021.

David W. Dunn, Mayor

Attest:

Chandra Kyte, City Clerk