

**ORDINANCE #65824**  
**Board Bill No. 361**  
**Committee Substitute**

An ordinance prohibiting any person or entity from possessing, storing, selling, posting for sale, exposing, transferring to another, using, exploding, discharging, setting off, or burning fireworks of any kind or description within the limits of the City of St. Louis, containing a penalty provision and providing that public displays of fireworks may occur with the written approval of the St. Louis City Fire Marshall in accordance with rules and regulations.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

**SECTION ONE. Definition of Fireworks.**

For purposes of this ordinance the term "fireworks" shall mean and include any explosive composition, substance, combination of substances, device or article designed for the purpose of producing a visible or audible effect of a temporary exhibitional or entertainment nature by explosion, combustion, deflagration, detonation, report, shooting a projectile into the air, or producing an open flame and shall include but not be limited to firecrackers, torpedoes, sky rockets, Roman candles, missiles, pinwheels, trick noisemakers known as party poppers, sparklers, helicopters, reloadable tube devices, comets, mines and shells, blank cartridges, toy cannons in which explosives are used, and the type of balloons which require fire underneath to propel the same. The term "fireworks" shall not include snake or glow worm pellets; smoke devices; and toy gun paper or plastic caps which contain less than 16.25 milligrams (.25 of a grain) of explosive mixture, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion.

**SECTION TWO. Findings.**

The Board of Aldermen finds that fireworks are harmful to the public health and safety and are a nuisance as a result of serious personal injury, traffic and other accidents, property damage, noise, and disruption of the public order.

**SECTION THREE. Fireworks Prohibited.**

No person or entity shall possess, store, sell, expose, post for sale, transfer to another, use, explode, discharge, set off, or burn fireworks of any kind or description within the limits of the City of St. Louis.

**SECTION FOUR. Adults Shall Not Allow Minors to Violate Fireworks Prohibition.**

No person or entity shall permit or allow a minor under the age of seventeen (17) years to possess, store, sell, post for sale, expose, transfer to another, use, explode, discharge, set off, or burn fireworks of any kind or description within the limits of the City of St. Louis.

**SECTION FIVE. Public Displays Exception With City Fire Marshall Permission.**

The provisions of this ordinance notwithstanding, public displays of fireworks may be conducted by entities or by persons over age seventeen (17) years old with the prior written approval of the St. Louis City Fire Marshall, in accordance with any rules and regulations issued by the City

Fire Marshall and in accordance with any rules and regulations issued by the City Fire Chief and in accordance with all other laws of the City of St. Louis and State of Missouri.

**SECTION SIX. Penalties.**

Any person or entity which violates the provisions of Section Three (3) of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) for each violation or by imprisonment for not less than five (5) days nor more than ninety (90) days in jail for each violation or both such fine and imprisonment. If a person or entity is convicted of a second or subsequent violation of the provisions of Section Three (3) of this ordinance within a twelve (12) month period, such person or entity shall be punished by a fine of not less than Three Hundred Dollars (\$300) nor more than Five Hundred Dollars (\$500) for each violation or by imprisonment for not less than ten (10) days nor more than ninety (90) days in jail for each violation or both such fine and imprisonment. Any person or entity

which violates the provisions of Section Four (4) of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount of not less than Three Hundred Dollars (\$300) nor more than Five Hundred Dollars (\$500) for each violation or by imprisonment for not less than ten (10) days nor more than ninety (90) days in jail for each violation or both such fine and imprisonment. If a person or entity is convicted of a second or subsequent violation of the provisions of Section Four (4) of this ordinance within a twelve (12) month period, such person or entity shall be punished by a fine of Five Hundred Dollars (\$500) for each violation or by imprisonment for not less than twenty (20) days nor more than ninety (90) days in jail for each violation or both such fine and imprisonment.

**SECTION SEVEN.** Emergency Clause.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

**Approved: February 22, 2003**