

CHAPTER 9 – FIRE PREVENTION AND PROTECTION

Sec. 9-51. Fireworks; liability for emergency responses related to use of fireworks.

(a) A person who uses, discharges or ignites fireworks or anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground, is liable for the expenses of any emergency response that is required by such use, discharge or ignition. The fact that a person is convicted or found responsible for a violation(s) of this article is prima facie evidence of liability under this section.

(b) The expenses of an emergency response are a charge against the person liable for those expenses pursuant to subpart (a) of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. The person's liability for the expense of an emergency response shall not exceed five hundred sixty-nine dollars (\$569.00) per hour of emergency response time for a single incident depending on the apparatus and personnel required to respond. The person will be liable for a minimum hourly rate upon response. The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed.

(1) The Fire Department shall promulgate a schedule of charges for emergency response under this section.

(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

(Ord. No. 2014-27. 06/17/2014, Amended) SUPP 2014-2