

NOTICE

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**CHAPTER 672
WEAPONS AND EXPLOSIVES**

672.01	Discharging Firearms		672.04	Sale of Fireworks
672.02	Throwing or Projecting Missiles		672.05	Fireworks Display Permits
672.03	Sale of Explosives to Minors			

SECTION 672.01 DISCHARGING FIREARMS.

- (a) No person shall discharge any cannon, pistol, or other firearm, of any kind whatsoever, or any air rifle, pellet gun, gas gun, BB gun or other similar object, or any bow and arrow, crossbow, or other similar object, within the City. This section shall not prohibit the firing of a military salute or the firing of weapons by members of the United States Armed Forces acting under military authority and shall not apply to law enforcement officers in the proper enforcement of the law; or to any person in the proper exercise of the right of defense. The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (b) "Firearm" has the same meaning as in Ohio R.C. 2911.11.
- (c) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree. Punishment shall be as provided in Section 698.02.
- (d) Notwithstanding anything else to the contrary, if the court finds that the victim suffered physical harm as a result of the negligent commission of this offense, whoever violates any provision of this section is guilty of a misdemeanor of the first degree.

SECTION 672.02 THROWING OR PROJECTING MISSILES.

- (a) No person shall recklessly throw or propel a missile or other object at or toward a person, structure, vehicle, or other property which might be injured or damaged thereby, or strike or wound a person or injure or damage any such property by such act.

- (b) Whoever violates this section is guilty of a minor misdemeanor. Punishment shall be as provided in Section 698.02.
- (c) Notwithstanding anything else to the contrary, if the court finds that the victim suffered physical harm as a result of the commission of this offense, whoever violates any provision of this section is guilty of a misdemeanor of the second degree.

SECTION 672.03 SALE OF EXPLOSIVES TO MINORS.

- (a) No person shall sell, give away or otherwise dispose of or deliver to any person under twenty-one years of age any explosive, as defined in Ohio R.C. 2923.11, whether such person is acting on their own behalf or for any other person.
- (b) The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (c) Whoever violates this section shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

SECTION 672.04 SALE OF FIREWORKS.

- (a) No person, within the territorial limits of this City, shall discharge, ignite, or explode fireworks or attempt to discharge, ignite, or explode fireworks.
- (b) No person shall possess fireworks in this City or shall possess for sale or sell fireworks in this City, except a licensed manufacturer of fireworks as authorized by sections 3743.02 to 3743.08 of the Ohio Revised Code, a licensed wholesaler of fireworks as authorized by sections 3743.15 to 3743.21 of the Ohio Revised Code, a shipping permit holder as authorized by section 3743.40 of the Ohio Revised Code, a licensed fountain device retailer as authorized by section 3743.27 of the Ohio Revised Code, a person as authorized by sections 3743.44 and 3743.45 of the Ohio Revised Code, or a licensed exhibitor of fireworks as authorized by sections 3743.50 to 3743.55 of the Ohio Revised Code, and except as provided in section 3743.80 of the Ohio Revised Code.
- (c) As used in this section, “fireworks” has the same meaning as in section 3743.01 of the Ohio Revised Code. However, “fireworks” shall not include “novelties and trick noisemakers” or “wire sparklers” as those terms are defined in section 3743.01 of the Ohio Revised Code.

- (d) The prohibition described in subsection (a) shall not apply to a licensed fireworks exhibitor conducting a fireworks exhibition with a valid permit issued by the City in accordance with Section 672.05.
- (e) The offense established under this section is a strict liability offense and strict liability is a culpable mental state for purposes of the Ohio Revised Code Section 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (f) Whoever violates any division of this section shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

SECTION 672.05 FIREWORKS DISPLAY PERMITS.

A licensed exhibitor of fireworks who wishes to conduct a fireworks exhibition in the City must first apply to the Fire Chief or the Fire Chief's designee for approval to conduct the exhibition. Each applicant shall pay the applicable permit fees established in accordance with Section 133.02. In addition, as part of the permit fee, each applicant shall pay the City's cost to provide the services for fireworks exhibitions required by Ohio Revised Code Section 3743.54 and any other applicable laws, rules, and regulations. The applicant may be required to post in advance a deposit to cover the estimated cost before a permit will be issued. The Fire Chief or the Fire Chief's designee shall not issue a permit until the applicant has paid the fees and complied with all applicable requirements of Ohio Revised Code Chapter 3743 and the Ohio Fire Code. Permits may be revoked for noncompliance with applicable laws, rules, and regulations. If a permit is revoked, fees are nonrefundable.

Legislative History: Ord. 4309-18; passed 5/8/18; Ord. 4384-22 passed; 6/14/22.