

ORDINANCE NO. 2026-01

AN ORDINANCE AMENDING CHAPTERS 41 (Public Health and Safety) and 124 (Fireworks) OF THE CODE OF ORDINANCES OF THE CITY OF RIVERSIDE, IOWA,

WHEREAS, the Iowa Legislature recently amended Iowa Code Chapter 364.2, subsection 6, to read as follows:

“A City Council may by ordinance or resolution prohibit or limit the use of consumer fireworks, display fireworks, or novelties, as described in section 727.2, on any day other than July 3rd, July 4th, and December 31st in accordance with section 727.2, subsection 4.”

WHEREAS, the City of Riverside, Iowa City Code is currently more restrictive than the State Code, as amended above, and for that reason must be amended, as the City Code cannot prohibit behavior or activities specifically authorized by the State Code.

Be it, therefore, ordained by the Council of the City of Riverside, Iowa, as follows:

Section 1: Section 41.13 (Fireworks) is repealed in its entirety. Current section 41.14 (Drug Paraphernalia) shall be renumbered as section 41.13.

Section 2: Chapter 124 of the City of Riverside City Code, is hereby repealed in its entirety and replaced as follows:

124.1 FIREWORKS USE.

1. It is unlawful for any person or entity to use or explode any consumer fireworks, including first-class consumer fireworks and second-class consumer fireworks as defined in Section 10A.519(1) of the *Code of Iowa*, subject to the following exception:

A. Consumer Fireworks as described within Iowa Code Sections 727.2 may be used on July 3rd, July 4th, and December 31st, without restriction or other condition by any person or entity but for the terms and provisions set forth within Iowa Code Section 727.2(4).

2. It is unlawful to use or explode any Display Fireworks, as defined in Section 727.2 of the *Code of Iowa*, subject to the following exceptions:

- A. Display fireworks may be used or exploded without a permit at any incorporated county fair or any district fair receiving state aid.
- B. Display fireworks may be used or exploded by a City agency or department, a fair association, an amusement park, or other organization, group of individuals, or individual, upon the receipt of an application in writing and the approval of same by the City Council which shall include a finding that the person/entity responsible for the use of the Display Fireworks is a competent operator. No permit shall be granted hereunder unless the competent operator or sponsoring person or entity has filed evidence of insurance with the City, with the following minimum limits.
- (1) Personal Injury: \$250,000.00 per person.
 - (2) Property Damage: \$50,000.00.
 - (3) Total Exposure: \$1,000,000.00.
- C. Display Fireworks as described within Iowa Code Section 727.2 may be used on July 3rd from 9:00 a.m. to 10:00 p.m., July 4th from 9:00 a.m. to 11:00 p.m., and December 31st from 9:00 a.m. until 12:30 a.m. on January 1st, without restriction or other condition by any person or entity, but for the terms and provisions set forth within Iowa Code Section 727.2(4).

124.2 FIREWORKS SALE. It shall be unlawful for any person to offer for sale, expose for sale or sell Consumer Fireworks, unless the person is a retailer or community group defined in Chapter 100, Iowa Code, and possess and complies with all requirements of a Consumer Fireworks seller license issued by the State Fire Marshall.

1. Consumer Fireworks shall only be sold during the following dates and times as established by Iowa Code:

A. For fireworks sold within a permanent building or structure, they may only be displayed and sold between the dates of June 1st through July 8th and December 10th through January 3rd.

B. For fireworks sold within a temporary structure, they may only be displayed and sold between the dates of June 13th through July 8th.

2. Consumer Fireworks may only be sold in the following zoning districts of the City of Riverside: C-1, C-2, M-1 and M-2.

3. Consumer Fireworks may not be sold on public property.

Section 3. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and adopted by the Council and approved by the mayor on the 18th day of May, 2026.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. 2026-01 on the 1st day of July, 2026.

City Clerk