

Holly A. Swenk, Ward 1/Chair
Georgia Awig, At-Large
Martin DeVries, At-Large



Safety Committee
CITY HALL COUNCIL CHAMBERS
AGENDA OF SEPTEMBER 9, 2024
6:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Safety Committee Meeting Minutes dated June 3, 2024
(Committee action required)

NEW BUSINESS

- O 2024-81 An Ordinance amending N.R.C.O Section 452.03 – prohibited standing or parking places.
(Introduced by Mayor Corcoran; First Reading on 08-05-2024)
- O 2024-82 An Ordinance establishing enforcement capability regarding fireworks for the Police Department.
(Introduced by Mayor Corcoran; First Reading on 08-05-2024)

ADJOURNMENT

**NORTH RIDGEVILLE CITY COUNCIL
SAFETY COMMITTEE MEETING MINUTES
CITY COUNCIL CHAMBERS – 6:30 p.m.
MONDAY, June 3, 2024**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

Chair Holly Swenk called the Safety Committee meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ROLL CALL:

Members present were Chairwoman Holly Swenk, Councilwoman Georgia Awig, and Councilman Martin DeVries.

Also present: Mayor Kevin Corcoran, President Jason Jacobs, Councilman Eric Shaffer, Councilman Bruce Abens, Councilman Clifford Winkel, and Assistant Clerk of Council Fijabi Gallam.

APPROVAL OF MINUTES:

Chair Holly Swenk asked if there were any corrections to the Safety Committee Meeting Minutes dated April 17, 2023. No discussion was offered. The meeting minutes stand approved as submitted.

New Business:

2024-58 An Ordinance amending North Ridgeville Codified Ordinance Section 660.13
Smoking in Places of Public Assembly.
(Introduced by Mayor Corcoran)

Mayor Corcoran explained the legislation, stating that it prohibits smoking in any public areas, including the use of marijuana. The purpose of this legislation is to ensure the safety and well-being of the community.

Chair Swenk raised a concern regarding individuals failing to adhere to the rule of not smoking within a 25-foot radius of a "No Smoking" sign.

Mayor Corcoran emphasized that the city's parks are currently designated as smoke-free zones. The Mayor proposed eliminating the 25-foot distance requirement.

Councilman Winkel expressed his understanding of maintaining a 25-foot distance for smokers in designated areas.

Chair Swenk called for additional comments or questions.

Councilman Jacobs expressed his support for removing the distance requirement from the "No Smoking" sign.

Councilman Shaffer posed a question regarding the legislation's coverage for city-run events.

Conversations were held to address two main subjects: the required distance for smoking near properties owned by the municipality and enforcing smoking regulations at events.

Councilman Abens stated that sidewalks are the property of the entity. This implies that the City still maintains ownership of the sidewalks and the tree lawn.

Councilman DeVries expressed the hope that the legislation would aid in enforcement, as there is a lack of awareness regarding regulations on no smoking in public places.

Moved by Awig and seconded by DeVries to amend Ordinance 2024-58 with the following changes.

“Under Section 660.13 (a) strikeout, "within 25 feet of No Smoking signs posted...”

A voice vote was taken, and the motion carried.

Yes – 3 No – 0

Council member Awig wanted to know where the “No Smoking” signs would be posted.

Mayor Corcoran remarked that it would be around the front of the parks.

Moved by Awig and seconded by DeVries to send 2024-58 back to the City Council to consider and amend with the following changes.

“Under Section 660.13 (a) strikeout, "within 25 feet of No Smoking signs posted...”

A voice vote was taken, and the motion carried.

Yes – 3 No – 0

No further business.

Adjournment:

Chair Swenk adjourned the meeting at 6:45 p.m.

Date Approved:

Fijabi Gallam, MMC
Assistant Clerk of Council

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

- (1) It is nonaerial and nonreport producing.
 - (2) It is recognized and manufactured in accordance with sections 3.1.1 and 3.5 of APA standard 87-1 (2001 edition).
 - (3) It is a ground-based or hand-held sparkler with one or more tubes containing a nonexplosive pyrotechnic mixture that produces a shower of sparks upon ignition, with or without additional effects that may include a colored flame, audible crackling effect, audible whistle effect, or smoke.
 - (4) It contains not more than seventy-five grams of the nonexplosive pyrotechnic mixture in any individual tube and not more than five hundred grams or less for multiple tubes.
7. **1.3G Fireworks** means display fireworks (permitted licensed exhibitors only) consistent with regulations of the United States department of transportation as expressed using the designation "division 1.3" in Title 49, Code of Federal Regulations.
 8. **Fireworks discharge site** means the area where any firework is discharged including the point of discharge and the area immediately surrounding that point.
 9. **Highway** means any public street, road, alley, way, lane, or other public thoroughfare.
 10. **Licensed exhibitor of fireworks or licensed exhibitor** means a person licensed pursuant to sections 3743.50 to 3743.55 of the Revised Code.
 11. **Railroad** means any railway or railroad that carries freight or passengers for hire.
 12. **Spectator** means any person other than a person who is directly engaged in the discharge of fireworks.
 13. **Trick/Novelty Items** include but not limited to the following:
 - a. Booby traps; means a small tube that has a string protruding from both ends, that has a friction-sensitive composition and that is ignited by pulling the ends of the string.
 - b. Cigarette load; means a small wooden peg that is coated with a small quantity of explosive composition and that is ignited in a cigarette.
 - c. Party poppers; means a small plastic or paper item that contains not more than sixteen milligrams of friction-sensitive explosive composition, that is ignited by pulling string protruding from the item, and from which paper streamers are expelled when the item is ignited.

- d. Snake or glow worms; means a device that consists of a pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning, which ash expands in length as the pellet burns.
- e. Smoke device; means a tube or sphere that contains pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.
- f. Snapper; means a small, paper-wrapped item that contains a minute quantity of explosive composition coated on small bits of sand, and that, when dropped, implodes.
- g. "Trick match" means a kitchen or book match that is coated with a small quantity of explosive composition and that, upon ignition, produces a small report or a shower of sparks.
- h. Wire sparkler" means a sparkler consisting of a wire or stick coated with a non-explosive pyrotechnic mixture that produces a shower of sparks upon ignition and that contains no more than one hundred grams of this mixture.

***Note: For the purpose of this ORD, Trick/Novelty Items are not considered "fireworks" and are not restricted in terms of their use by sections (C)(1), (2), (3), (4), (5), (6) (7) and (15) found below.*

SECTION 3. (B) No person shall discharge 1.3G fireworks in this City unless done so by a licensed exhibitor of fireworks pursuant to sections 3743.50 to 3743.55 of the Revised Code.

(C) Prohibitions against discharging consumer grade fireworks (1.4G) by the public in the City of North Ridgeville:

- (1) No person under the age of eighteen (18) shall possess, handle or discharge 1.4G fireworks.
- (2) No person under the age of eighteen (18) shall be within 150 feet of the point of discharge of 1.4G firework aerial devices;
- (3) No person shall discharge 1.4G fireworks unless done so on the days listed below.
 - (a) New Year's Day
 - (b) Chinese New Year
 - (c) Cinco de Mayo
 - (d) Memorial Day and the prior Saturday/Sunday
 - (e) Juneteenth
 - (f) July 3rd, 4th, and 5th
 - (g) Diwali
 - (h) New Year's Eve
- (4) No person shall discharge 1.4G fireworks unless done so between the hours of 4:00 p.m. and 11pm.

- (5) No person shall discharge 1.4G fireworks unless they are discharged on the consumer's own property or on another person's property with that person's permission.
- (6) No person shall discharge 1.4G fireworks unless the following distance requirements can be met:
- (a) **Distance away from spectators - For consumer grade (1.4G) aerial devices.**
(Aerial devices including, but not limited to, shells, roman candles, cakes, and bottle rockets), the minimum required discharge radius away from spectators shall be at least 150 feet.
 - (b) **Distance away from spectators - For consumer grade (1.4G) ground devices.**
(Ground devices including but not limited to fountains, firecrackers or ground effect devices), the minimum required discharge radius away from spectators shall be at least 50 feet.
 - (c) **Distance away from buildings and structures - For consumer grade (1.4G) aerial devices.**
(Aerial devices including, but not limited to, shells, roman candles, cakes, and bottle rockets), the minimum separation distance from the point of discharge to the nearest point of any structure or building shall be at least 150 feet.
 - (d) **Distance away from multitenant properties, hotels, motels, dormitories, fraternities, and sororities.**
The distance from the point of discharge of 1.4G fireworks, to the nearest point of a structure or building that is used as a multitenant structure, hotel, motel, dormitory, fraternity, or sorority shall be at least 450 feet.
 - (e) **Distances away from hospitals, educational facilities, health care facilities, Institutional Group occupancies, and residential facilities licensed under Title 37 of the Revised Code.**
The distance from the point of discharge of any 1.4G firework to the nearest point of a structure or building that is used as a hospital, educational facility, health care facility Institutional Group occupancy, or a residential care facility licensed under Title 37 of the Revised Code shall be at 300 feet.
 - (f) **Distances away from military installations, railroads, airports and fireworks establishments.**
The distance from the point of discharge to any railroad or the nearest point of a property line of property that is used as a military installation, airport or fireworks establishment shall be at least 450 feet. If a flight restriction is in place surrounding a facility the required distances shall be calculated based on the restriction.

(g) **Distances away from bulk storage areas.**

The distance between the point of discharge of any 1.4G firework to the nearest point of a bulk storage area containing materials that have a flammability, explosive, or toxic hazard shall be at least 300 feet. Note: fuel tanks on vehicles or other motorized equipment located in the 1.4G fireworks discharge site shall not be considered bulk storage.

(h) **Distances away from property that houses livestock.**

The discharge of 1.4G fireworks within 150 feet of property that houses livestock, measured from the point of discharge to the nearest point of the property line, unless the person who intends to discharge the fireworks provides at least five days written notice to the owner of the property where the livestock is housed which states the date, time, and location where the fireworks will be discharged;

(i) **Distances away from overhead objects, structures or vehicles.**

Any area selected as a 1.4G fireworks discharge site for the discharge of 1.4G firework aerial shells shall be located so that the post ignition trajectory of the shells shall not come within 25 feet of any overhead object, structure, or vehicle.

(j) **Distance of tents away from discharge site.**

There shall be no tents within 150 feet of a discharge site while fireworks are being discharged;

(k) **Distance of the presence of smoking materials, matches, lighters, or open flame devices.**

Distance of the presence of smoking materials, matches, lighters, or open flame devices within 50 feet of any area where 1.4G fireworks or other pyrotechnic materials are present; **Exception:** Matches, lighters, or open flame devices to be specifically used to lawfully ignite 1.4G fireworks for discharge purposes may be within the 1.4G fireworks discharge site.

(l) **Distance of minors away from discharge site of 1.4(G) aerial devices.**

All persons under the age of eighteen (18) shall be at least 150 feet away from any discharge of 1,4G aerial device(s).

- (7) No person while in possession, control or discharge of any 1.4G fireworks, be under the influence of any intoxicating liquor, beer, or controlled substance.
- (8) No person shall discharge 1.4G fireworks within the boundaries of any federal, state or local forest, park, public recreation area or place of nature conservancy.
- (9) No person shall ignite or discharge any 1.4G fireworks in any street, highway, alley or public way.

- (10) No person shall discharge any 1.4G firework indoors.
- (11) No person shall point, aim or discharge any 1.4G fireworks at or towards any person or object including bystanders, spectators, emergency services personnel, vehicles, aircraft, watercraft or any structure.
- (12) No person shall discharge any 1.4G fireworks on any public property or private school property (unless sanctioned/permitted by proper authority).
- (13) No person shall discharge of 1.4G fireworks in a manner that would be deemed hazardous to property or endanger a person or animal.
- (14) No person shall store any fireworks within the 1.4G fireworks discharge site in such a manner that accidental ignition would have a high likelihood of occurring.
- (15) No person shall give, sell, furnish or distribute any 1.4G firework to a person under the age of eighteen (18) years of age.
- (16) No person shall discharge any firework when drought or hazardous weather conditions exist.
- (17) No person who obtains possession of any 1.4G firework shall in any manner tamper with, dismantle or alter the 1.4G firework other than normal discharge.
- (18) The fallout shelter for 1.4G firework aerial shells shall be an open area. Spectators, unauthorized vehicles, watercraft, or readily combustible materials shall not be located within the fallout area during any period in which fireworks are being discharged.
- (19) No person shall disturb, dismantle, reposition, move or alter of any firework item, any associated equipment or other material, or any other item within the 1.4G fireworks discharge site, or any evidence related to a consumer fireworks discharge incident is prohibited.

Exception: Items may, as authorized by a fire official or law enforcement official on site, be moved as necessary to prevent further injury or death to any member of the public or a threat of imminent fire or explosion

(D) Clean Up of Fireworks:

- (1) Any person who discharges any fireworks shall conduct an inspection of all affected premises to locate debris resulting from the discharge of same and promptly remove and properly dispose of all such debris. Such inspection and clean up shall occur

immediately after the discharge or within 12 hours of the discharge if the discharge occurs after dark.

(E) This section does not limit the enforcement of any ordinance, resolution, or statute that regulates noise, disturbance of the peace, or disorderly conduct.

SECTION 4. Penalty: Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree for a first offense and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months or both. (ORC 3743.99)).

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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