

## **FIREWORKS VIOLATIONS IN STERLING HEIGHTS**

<b>Violation</b>	<b>State Law</b>	<b>City Ordinance</b>	<b>F, M, or CI?</b>	<b>Penalties</b>
Sale of “consumer fireworks” without State certification	MCL 28.454(1)	20-101(A)	State Civil Fine	1 <sup>st</sup> : Up to \$5,000 2 <sup>nd</sup> : Up to \$20,000 3 <sup>rd</sup> : Up to \$40,000
Fail to display state certificate for selling “consumer fireworks”	MCL 28.454(9)	20-101(C)	State Civil Fine	\$200
Retail sales without complying with applicable NFPA codes, tax licensing, or tax ID requirements	MCL 28.455	Section 20-101(E)	State Civil Fine	Up to \$2,500 each violation per day
Sale of “consumer fireworks” to a minor	MCL 28.462(2)	Section 20-101(I)	Municipal Civil Infraction	1 <sup>st</sup> : \$500 Subsequent: \$1,000
Fail to maintain insurance of \$10,000,000 per occurrence when selling “consumer fireworks”	MCL 28.455(3)	Section 20-101(F)	State Civil Fine	Up to \$5,000
Smoking within 50 feet of a “consumer fireworks” sales area	MCL 28.462(4)	20-115(C)	Municipal Civil Infraction	\$1,000
Igniting, discharging, or using “consumer fireworks” or lowimpact fireworks in a manner intended to harass, scare, or injure livestock	MCL 28.462(6)	20-115(D)	M	Up to \$500  Up to 90 days
Discharging, igniting, or using “consumer fireworks” on a nonpermitted day	n/a	Section 20-115(E)	Municipal Civil Infraction	\$1,000
Discharging, igniting, or using “consumer fireworks” on one of the 12-13 permitted days between 11:45pm and 11am (or 1am to 11am on New Year’s Day)	n/a	Section 20-115(E)	Municipal Civil Infraction	\$1,000

<b>Violation</b>	<b>State Law</b>	<b>City Ordinance</b>	<b>F, M, or CI?</b>	<b>Penalties</b>
Using "consumer fireworks" on property of another or public property without express permission	MCL 28.462(1)	Section 20-115(A)	Municipal Civil Infraction (1 <sup>st</sup> Offense)  City Misdemeanor for repeat offense within 72 hours	\$500  For repeat offense in 72 hours, up to \$500 and up to 90 days
Ignition, discharge, or use of fireworks while under the influence (no damage and no one injured or killed)	MCL 28.462(3) + MCL 28.468(1)(a)	Section 20-115(B)	Municipal Civil Infraction	\$1,000 (City) Up to \$1,000 (State)
Ignition, discharge, or use of fireworks while under the influence (damage to property)	MCL 28.462(3) + MCL 28.468(1)(b)	Section 20-115(B)	M	Up to \$500 (City) Up to \$5,000 (State)  Up to 90 days
Ignition, discharge, or use of fireworks while under the influence (serious impairment of another)	MCL 28.462(3) + MCL 28.468(1)(c)	n/a	F	Up to \$5,000  Up to 5 years
Ignition, discharge, or use of fireworks while under the influence (death of another)	MCL 28.462(3) + MCL 28.468(1)(d)	n/a	F	Up to \$10,000  Up to 15 years
Presence or allowing presence within 25 feet (adult) or 50 feet (minor) of a consumer firework being ignited, used, or discharged (unless on own property)	n/a	Section 20-115(G)	Municipal Civil Infraction	\$500
Any harm or damage caused by ignition, use, or discharge of consumer fireworks	n/a	Section 20-115(H)	M	Up to 90 days  Up to \$500

<b>Violation</b>	<b>State Law</b>	<b>City Ordinance</b>	<b>F, M, or CI?</b>	<b>Penalties</b>
Failure of fireworks vendors to provide the notice required by City ordinance to purchasers	n/a	Section 20-115(I)	Municipal Civil Infraction	\$500
Aiding, abetting, perpetuating, participating in, or promoting violations of (E), (G), or (I)	n/a	Section 20-115(J)	Municipal Civil Infraction (1 <sup>st</sup> Offense)  City misdemeanor for repeat offense within 72 hours	\$150  Up to \$500  Up to 90 days
Sky lanterns may not be used, ignited, launched, offered for sale, exposed for sale, sold at retail, or kept with intent to sell at retail	n/a	Section 20-115(N)	M	Up to \$500  Up to 30 days per Section 20-131(B)

Note: In addition to any other penalty, a person that is found guilty of a violation shall be required to reimburse the appropriate governmental agency for the costs of storing seized fireworks that the governmental agency confiscated for a violation. See MCL 28.468(2) and City Ordinance Section 20-131(B).

Note: Any violation of the Act that results in serious impairment or death to another person is a state law felony. The felony penalties are listed at MCL 28.468(1)(c) and (d).