

Introduced by: Borough Manager  
Requested by: Borough Assembly  
Drafted by: Special Projects Support  
Introduced: 04/21/2011  
Public Hearing: 05/05/2011  
Adopted: 05/05/2011

**KODIAK ISLAND BOROUGH  
ORDINANCE NO. FY2011-15**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH  
AMENDING TITLE 9 *PUBLIC PEACE, MORALS AND WELFARE* BY  
INSTITUTING CHAPTER 9.10 *FIREWORKS CONTROL* TO  
RESTRICT THE SALE AND USE OF FIREWORKS IN THE BOROUGH**

**WHEREAS,** there is no restriction on the sale or use of fireworks in the borough; and

**WHEREAS,** many residents have contacted Borough officials expressing concern about noise, litter, and safety created by the use of fireworks throughout the year; and

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:**

**Section 1:** This ordinance is of a general and permanent nature and shall become a part of the Kodiak Island Borough Code of Ordinances;

**Section 2:** The Kodiak Island Borough Code is hereby amended by adopting a new chapter 9.10 as follows:

**Chapter 9.10  
FIREWORKS CONTROL**

9.10.010	Applicability
9.10.020	Definitions
9.10.030	Sales prohibited
9.10.040	Use prohibited
9.10.050	Permissible uses
9.10.060	Penalty

**9.10.010 Applicability.**

This chapter applies in all areas of the borough outside of the cities of Kodiak, Ouzinkie, Port Lions, Larsen Bay, Akhiok and Old Harbor.

**9.10.020 Definitions.**

In this chapter, unless the context otherwise requires:

A. "Dangerous fireworks" means all fireworks not otherwise defined as saleable fireworks.

B. "Saleable fireworks" means fireworks defined as such in AS 18.72.100 as amended from time to time.

51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96

**9.10.030 Sales prohibited.**

A. Except as provided in this chapter, it is unlawful for any person to sell or display or offer to sell fireworks within the corporate limits of the Kodiak Island Borough.

B. The sale of fireworks defined as saleable under AS 18.72.100 shall be allowed annually without permit during the period of June 15 to July 15, and December 26 to December 31.

**9.10.040 Use prohibited.**

A. Except as provided in this chapter, it is unlawful for any person to discharge fireworks within the corporate limits of the Kodiak Island Borough.

B. The discharge of fireworks defined as saleable under AS 18.72.100 shall be allowed annually without permit during the period of June 15 to July 15, and December 26 to January 1.

C. Permission to discharge fireworks will not apply during any period when the State of Alaska Division of Forestry has a ban on open burning in effect.

**9.10.050 Permissible uses.**

Nothing in this chapter shall be construed to prohibit:

A. The use of fireworks by transportation agencies for signal purposes or illumination;

B. The sale or use of blank cartridges for a show or theater;

C. The use of fireworks for signal or ceremonial purposes in athletic events or parades;

D. Use by military organizations;

E. The use of fireworks when authorized by a state or federal agency for wildlife control.

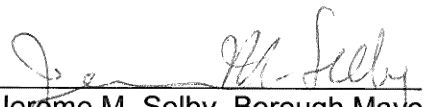
**9.10.060 Penalty.**

Penalties for violations of this chapter are as provided in Chapter 1.20.


**Section 3:** This ordinance shall take effect upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH  
THIS FIFTH DAY OF MAY, 2011**

KODIAK ISLAND BOROUGH

  
Jerome M. Selby, Borough Mayor

ATTEST:

  
Nova M. Javier, MMC, Borough Clerk