

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2020-03**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING
KODIAK ISLAND BOROUGH CODE TITLE 9 PUBLIC PEACE, MORALS AND WELFARE,
CHAPTER 9.10 FIREWORKS CONTROL, SECTION 9.10.040 USE PROHIBITED TO
PROHIBIT THE DISCHARGE OF FIREWORKS AT MILL BAY BEACH**

WHEREAS, as a second class borough, the Kodiak Island Borough (KIB) exercises certain powers related to the public peace, morals, and welfare which include regulations regarding the sale and discharge of fireworks; and

WHEREAS, the KIB receives a number of complaints each year during the time periods when fireworks are allowed; and

WHEREAS, Mill Bay Beach is directly adjacent to and surrounded by several residential neighborhoods; and

WHEREAS, the majority of the complaints are concerned with discharge of fireworks at Mill Bay Beach.

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: Kodiak Island Borough Code Section 9.10.040 *Use Prohibited* is hereby amended as follows:

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 15th to July 15th, and December 26th to January 1st, but may not be discharged at Mill Bay Beach.

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. [Ord. FY2011-15 §2, 2011].

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VOTES:

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Ayes: Symmons, Turner, Skinner

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Noes: Arndt, Kavanaugh, Smiley, Mayor Rohrer

FAILED