

STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK

ORDINANCE #05-2015

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 18, “FIRE PREVENTION AND PROTECTION”, ARTICLE I, “IN GENERAL”, SECTION 18-1 “DEFINITIONS” AND ADDING SECTION 18-8 “SKY LANTERNS” TO PROHIBIT THE SALE AND USE OF SKY LANTERNS IN THE CITY.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

Chapter 18, Fire Prevention and Protection
Article I, In General

Section 18-1 “Definitions” is hereby repealed and readopted, and Section 18-8 “Sky Lanterns” is hereby added to hereafter read as follows:

Sec. 18-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building includes tanks, reservoirs or other receptacles for storage.

Fire hazard means any building, or parts and accessories thereof, premises, place or material of any kind which, by reason of its nature, location, occupancy, condition or use, may cause loss, damage, or injury to persons or property by reason of fire, explosion or action of the elements.

Inspector means the chief of the fire department or any member of the fire department designated by the chief to make inspections under this chapter.

Owner includes the executor, administrator, trustee or board of trustees in charge of a building.

Sky Lanterns also known as Chinese Lanterns or Kongming Lanterns, are airborne paper lanterns constructed from oiled rice or other paper on a frame, and contain a small candle or fuel cell composed of a waxy flammable material. When lit, the flame heats the air inside the lantern causing the lantern to rise into the air. A sky lantern is classified as a recreational fire and is prohibited under sections 302, 307 and 307.5 of the International Fire Code.

Sec. 18-8. – Sky Lanterns.

A person shall not sell at retail or ignite a sky lantern, or release an ignited sky lantern anywhere in the city.

SECTION 2. Repeal.

All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be deemed invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance deemed invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 22nd day of September, 2015.

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI , City Clerk
City of Allen Park