



CITY OF CHESTERFIELD

PUBLIC HEALTH & SAFETY COMMITTEE MEETING

SEPTEMBER 24, 2019
5:30 pm

CONFERENCE ROOM 202

AGENDA

- I. Call To Order
- II. Roll Call
- III. Approval of Minutes

August 1, 2019

- IV. Personnel Request – Chief Johnson

Chief Johnson will request the Committee's review/approval of a Police Department request for adding one additional Code Enforcement Inspector to staff

- V. River Valley Drive – Gate Closure – Councilmember Keathley

The Committee will discuss/review the effect of the gate closure on River Valley Drive

- VI. St. Louis Regional Hazard Mitigation Plan – Chief Johnson

The Committee will consider a request to approve a resolution adopting the FEMA 2020-2025 St. Louis Regional Hazard Mitigation Plan. Adoption of the plan assures our City eligibility to apply for State and Federal grant funds for pre-disaster hazard mitigation during the 2020-2025 time period.

- VII. Fireworks Display

The Committee will review and discuss the fireworks display permitting process.

- VIII. Other.

- VIII. Next meeting

- IX. Adjourn

NOTE: Public Health & Safety Committee will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Notice is hereby given that the Public Health & Safety Committee may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: Legal actions, causes of action, litigation or privileged communications between the City representatives and its attorneys (RSMo 610.021 (1) 1994; lease, purchase or sale of real estate (RSMo 610.021 (2) 1994; hiring, firing, disciplining or promoting employees within employee groups (RSMo 610.021 (3) 1994; bidding specification (RSMo 610.021 (11) 1994; and/or proprietary technological materials (RSMo 610.021 (15) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE PUBLIC HEALTH & SAFETY COMMITTEE MEETING SHOULD CONTACT CITY CLERK VICKI MCGOWND AT 636-53-6715, AT LEAST TWO (2) WORKING DAYS PRIOR TO THE MEETING.

MEMORANDUM

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DATE: August 2, 2019
TO: Mike Geisel, City Administrator
FROM: Captain Mike Thompson
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE

The Public Health and Safety (PH&S) Committee met on Thursday, August 1, 2019. Those in attendance included Chairperson Mary Monachella Councilmember Ward I, Councilmember Ben Keathley, Ward II, Councilmember Michael Moore, Ward III, Councilmember Michelle Ohley, Ward IV, Councilmember Dan Hurt, Ward III, City Administrator Mike Geisel, Captain Michael Thompson, Captain Cheryl Funkhouser, and Captain Dan Dunn.

I. Called to order

The meeting was called to order at 6:00 PM by Chairperson, Councilmember Mary Monachella.

II. Roll Call was completed

III. Approval of Minutes – March 6, 2010

Councilmember Moore motioned and Councilmember Ohley seconded to approve the minutes of the March 6, 2019 meeting. The motion carried 3-0 with Mary Monachella abstaining.

IV. Election of Vice Chair and Council Liaison to the Police Personnel Board

Councilmember Monachella motioned and Councilmember Keathley seconded to appoint Councilmember Moore Vice-Chairperson of the Public Health & Safety Committee. The motion carried 3-1 with Councilmember Ohley voting "No".

Councilmember Keathley motioned and Councilmember Moore seconded to appoint Councilmember Monachella as Liaison to the Police Personnel Board. The motion carried 3-1 with Councilmember Ohley voting "No".

V. Deer Culling Proposal

Captain Thompson addressed the Committee reviewing the Deer Culling Proposal that was directed by this Committee. Captain Thompson noted that, according to the 2019 deer count, the deer population in the City of Chesterfield has not increased since the 2018 deer count. Captain Thompson has spoken with Ms. Erin Shank, the State's urban wildlife biologist who indicated the City's current bow hunting process is sufficient.

In response to concerns about the deer population within the City of Chesterfield, a proposal was submitted that would expand the current bow hunting policy. This will open specific City owned properties (specifically, Railroad Park, Rivers Edge Park, West

Wetlands, Wilson Park, a small portion of Central Park, and designated locations within the Riparian Trail to bow hunting. The hunters shall be City of Chesterfield employees or elected official unless specifically authorized by the Chief of Police. Specific dates and times will be set for hunting.

All hunters participating in this program will be required to have a valid deer tag and adhere to all regulations as prescribed by the Missouri Department of Conservation. The City of Chesterfield will pay for the cost of processing donated deer.

After discussion, Councilmember Moore motioned and Councilmember Keathley seconded to approve bow hunting in selected City properties following the rules and regulations set by the Missouri Department of Conservation and the proposed policy as set forth by City Staff. The motion carried 3-1 with Councilmember Ohley voting "No".

VI. Municipal Court – Deferral/Municipal Drug Court Program

The Committee reviewed a report from the City of Chesterfield Prosecuting Attorney, Tim Engelmeyer regarding a newly formed Municipal drug court program. The program began June 1, 2019 and has currently acted on twelve cases to date.

Mr. Engelmeyer outlined the system process and noted limitations because of staff and current resources. He is reaching to other sources, such as private therapists, to donate time to assist with this program. Mr. Engelmeyer noted that he may be seeking financial assistance from the City in the future to continue this worthwhile program.

Councilmember Keathley voiced his opinion that any assistance would be better addressed by the Finance and Administration Committee. He also suggested that Asset Forfeiture Funds may be a source of financial assistance to this program.

The Committee discussed the possibility of a victims advocate system, as it would be related to the Drug Court Program. This will be further discussed as the program grows.

Also included in Mr. Engelmeyer's report was an update on the State mandated Municipal Court computer reporting system. At this time, the "Show Me Courts" computer system is up and running since June 1, 2019. The old system will be converted by September 1, 2019. A Court fee on each case is funding this system.

The Committee members accepted this report as informational and items covered may be considered in the future.

VII. There was no other business brought forward for the Committee to address.

VIII. Next Meeting

There was no date set for the next meeting.

IX. Adjournment

Having no further business, Chairperson Monachella adjourned the meeting at 6:35 PM.



Chesterfield Police Memorandum

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Date: July 30, 2019

To: Mike Geisel, City Administrator

From: Chief Ray Johnson

A handwritten signature in black ink, appearing to be "Ray Johnson", written over the name "Chief Ray Johnson".

RE: Consideration for Additional Code Enforcement Inspector

Sir:

The purpose of this memorandum is to request consideration for the addition of one (1) Code Enforcement Inspector position to the Police Department staff.

The City of Chesterfield, with a population of nearly 50,000 residents and 19,000 households, currently employs one (1) Code Enforcement Inspector who is responsible for handling the numerous daily inquiries from residents, business owners and elected officials and the nearly 500 public nuisance related complaints received each year. These complaints, which have been increasing by nearly 5% per year for the last several years, include issues related to the maintenance of residential and commercial structures, the maintenance of lawns and landscaping, derelict vehicles, and trash can violations, to name a few. By comparison, the City of Florissant, with a population of just over 51,000 residents and 20,000 households, employs three (3) Code Enforcement Inspectors. The City of Wentzville, with a population of just over 41,000 residents and 12,000 households, employs three (3) Code Enforcement Inspectors (one for each Ward) and one part-time seasonal Inspector.

It is important to note that City policy dictates that all nuisance complaints filed with the City will be reviewed and investigated by the Code Enforcement Inspector. In doing so, the City seeks to resolve these complaints through compliance, as opposed to punitive court actions. As a result, the Code Enforcement Inspector spends a considerable amount of time and effort communicating and working with the violator in an effort to abate the nuisance. Oftentimes, the Code Enforcement Inspector is instrumental in mediating and resolving neighborhood strife and discord that have been lingering for years, allowing for improved relations within our community.

Although the efforts of the Inspector results in compliance in the vast majority of reported complaints, the time it takes to achieve these results prevents the ability to proactively address known problem properties or to conduct regular inspections of repeat offenders or vacant homes. The addition of another Code Enforcement Inspector would allow the City to develop a more proactive approach to nuisance related complaints while at the same time thoroughly addressing the formal complaints submitted to the City. In addition, a second Code Enforcement Inspector would allow for uninterrupted and an increased level of service to the residents and business owners within the City. Therefore, I am requesting consideration for adding one (1) Code Enforcement Inspector to the Police Department staff effective FY2020. The starting salary for this position is currently \$43,664.00. The anticipated fully-loaded personnel cost for this position would be no greater than \$61,434.80. Existing office space and equipment would be utilized for this new position, resulting in no additional costs. Costs related to uniforms would be absorbed in the department's existing uniform budget.

In accordance with F&A Policy #18, please forward this request to the Public Health and Safety Committee for recommendation to TENTATIVELY include in 2020 budget draft.

McGeisel 2019-8-6

**CITY OF CHESTERFIELD
POLICY STATEMENT**

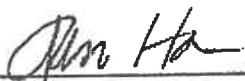
FINANCE AND ADMINISTRATION	NO.	18
SUBJECT	Requests for Additional Staff	INDEX FA
DATE ISSUED	8/16/99	DATE REVISED

POLICY:

Requests for additional staffing must go through a two-step process, as described below:

1. Requests are reviewed/approved by the appropriate Committee of City Council to determine need.
2. The request is then forwarded to the Finance and Administration Committee, for discussion of implications, both to the current budget and the Five-Year Budget.
3. The request is then forwarded to City Council, along with the recommendations of both Committees, for a final decision on funding.

RECOMMENDED BY:



Department Head/Director/Council Committee (if applicable) Date

APPROVED BY:

City Administrator Date

City Council (if applicable) Date

CITY OF CHESTERFIELD, MISSOURI

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CHESTERFIELD ADOPTING THE ST. LOUIS REGIONAL
HAZARD MITIGATION *PLAN*

WHEREAS the City of Chesterfield recognizes the threat that natural hazards pose to people and property within the City of Chesterfield; and

WHEREAS the City of Chesterfield has participated in the preparation of a multi- hazard mitigation plan, hereby known as the St. Louis Regional Hazard Mitigation Plan, hereafter referred to as the *Plan*, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the *Plan* identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Chesterfield from the impacts of future hazards and disasters; and

WHEREAS the City of Chesterfield recognizes that land use policies have a major impact on whether people and property are exposed to natural hazards, the City will endeavor to integrate the *Plan* into the comprehensive planning process and

WHEREAS adoption by the City of Chesterfield demonstrates their commitment to hazard mitigation and achieving the goals outlined in the *Plan*

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CHESTERFIELD, AS FOLLOWS:

This resolution shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019

Mayor

Date

ATTEST:

City Clerk

Date

Ray Johnson

From: Mike Geisel
Sent: Friday, September 06, 2019 8:35 AM
To: Mike Thompson; Ray Johnson
Subject: RE: Draft 2020 - 2025 St. Louis Regional Hazard Mitigation Plan available for public comment and adoption

I'd suggest you add tis to the next PH&S meeting and get their endorsement, then we can have a resolution on the next Council agenda.

From: Mike Thompson
Sent: Friday, September 06, 2019 8:27 AM
To: Ray Johnson <RJohnson@chesterfield.mo.us>
Cc: Mike Geisel <mgeisel@chesterfield.mo.us>
Subject: FW: Draft 2020 - 2025 St. Louis Regional Hazard Mitigation Plan available for public comment and adoption

Sir,

Per the email below, the East-West Gateway Council of Governments has been updating the St. Louis Regional Hazard Mitigation Plan and has now completed a draft of that plan. FEMA requires all governing bodies to adopt this Hazard Mitigation Plan by resolution in order to be eligible to apply for state and federal grant funds for pre-disaster hazard mitigation.

The below email fully explains the process and need for our council to adopt the attached resolution. I respectfully request the attached resolution be presented to the City Council for adoption.

Mike

From: Jennifer Vuitel <Jennifer.Vuitel@ewgateway.org>
Sent: Friday, August 30, 2019 11:08 AM
To: Jennifer Vuitel <Jennifer.Vuitel@ewgateway.org>
Subject: Draft 2020 - 2025 St. Louis Regional Hazard Mitigation Plan available for public comment and adoption

Hello,

You may recall last spring, you received several communications from East-West Gateway Council of Governments regarding the planning and public input process for the 2020 – 2025 St. Louis Regional Hazard Mitigation Plan. As part of that process, we asked every county, city, and school district within the counties of Jefferson, Franklin, St. Charles, St. Louis and the City of St. Louis, to complete a short questionnaire regarding natural hazard planning in their jurisdiction.

We appreciate the excellent response to the questionnaire and to the public official workshops held around the region! With that input, we were able to complete the DRAFT 2020 – 2025 St. Louis Regional Hazard Mitigation Plan. The draft Plan is now available for review and public comment until September 30, 2019 at www.ewgateway.org/hazardupdate.

The Federal Emergency Management Agency (FEMA) requires that the governing body of your community adopt this Hazard Mitigation Plan by resolution in order to be eligible to apply for state and federal grant funds

for pre-disaster hazard mitigation during the 2020 - 2025 time period. Now that the draft Plan is complete, it is important that your jurisdiction adopt the Plan by resolution this fall. East-West Gateway cannot submit the Plan for final approval until at least 10 percent of our cities and school districts adopt the new Plan.

Please note, the version of the Plan your city will be adopting is the final St. Louis Regional Hazard Mitigation Plan that will be approved by FEMA. If your city adopted the prior, 2015 – 2020 Plan, you will still need to adopt this new plan in order to remain eligible to apply for pre-disaster mitigation funding. Adopting the plan allows your community to apply for funding for projects like flood buyouts, tornado safe rooms, and infrastructure retrofitting.

To make the adoption process as smooth as possible, I've attached a sample resolution for the Plan. The sample resolution is also available for download on the web page above. Once your resolution is approved, please send a signed copy of the resolution back to me (an email scan is great). If you have any issues with the above link, try <https://www.ewgateway.org/community-planning/hazard-mitigation/draft-2020-2025-stl-reg-hazmit-plan/>

Your support and help in this part of the Plan approval process is very much appreciated! If you have any questions or concerns, please contact me at 314-421-4220 or jennifer.vuitel@ewgateway.org.

Thank you,
Jennifer

Jennifer Vuitel
Environment & Community Planning Manager
East-West Gateway Council of Governments
314-421-4220
618-274-2750
jennifer.vuitel@ewgateway.org



EAST-WEST GATEWAY
Council of Governments



Home > Community Planning > Hazard Mitigation > [Draft 2020–2025 St. Louis Regional Hazard Mitigation Plan Available for Review](#)

DRAFT 2020–2025 ST. LOUIS REGIONAL HAZARD MITIGATION PLAN AVAILABLE FOR REVIEW

East-West Gateway is working with the city of St. Louis and the Missouri counties of St. Charles, Franklin, Jefferson, and St. Louis to revise and update the [St. Louis Regional Hazard Mitigation Plan](#) for the next five years. The draft Plan is now available for public comment and review through September 30, 2019.

The Plan presents information about natural disasters, levels of risk, and strategies for local governments and school districts to take to reduce the adverse effects of natural hazards including tornados, severe thunderstorms, severe winter or summer weather, drought, flood, earthquake, dam failure, or wild fire. The goal of the planning process is to identify the key actions and opportunities for each jurisdiction, but implementation of the plan is voluntary.

Why is the Plan important? Limited federal funding, for projects like flood buyouts and tornado safe rooms, is available to assist communities prepare for some natural disasters, and this funding is only available to communities and school districts that have adopted the plan by resolution passed by their local governing body.

- [2020-2025 Draft St. Louis Regional Hazard Mitigation Plan](#)
- [Appendix A](#)
- [Appendix B](#)
- [Appendix C](#)
- [Sample resolution](#)

For comments on the draft Plan, please email hazardmit@ewgateway.org.

What is Hazard Mitigation?

The term “mitigation” means to make less harsh or severe. Hazard mitigation activities are actions that can be taken to protect people and property from natural hazards such as floods, severe storms, and extreme temperatures.

Plan Background

In 2004, EWG developed the first five-year St. Louis Regional Hazard Mitigation Plan in cooperation with the Missouri State Emergency Management Agency (SEMA). There is a different planning process used in Illinois, and each county develops its own plan. The 2004 plan was approved by SEMA and the Federal Emergency Management Agency (FEMA) for the period of 2005-2009. The Plan has since been updated and approved in 2010 (for the years 2010-2015) and 2015 (2015-2020). You can find more information on the most recent plan at the link below:

[St. Louis Regional Hazard Mitigation Plan 2015-2020](#)

Plan Goals

1. Prevent loss of life and minimize injury or illness as a result of natural disaster
2. Preserve and maintain property, infrastructure, business, and community vitality
3. Encourage future growth that is compatible with strategies to mitigate future natural disasters.

The planning process strives to accomplish the following:

- Foster resilient communities that are prepared for natural disasters
- Reduce or avoid losses as a result of natural disasters
- Identify cost effective actions to reduce risk from natural disasters and a strategy to implement those actions
- Focus resources on the greatest risks and vulnerabilities
- Provide a coherent plan as a basis for individual community action
- Build partnerships by involving people, organizations, and businesses
- Increase education and awareness of hazards and risk
- Communicate local priorities to state and federal officials
- Align risk reduction with other community objectives

Questions?

Contact EWG staff by phone at (314) 421.4220 or (618) 274.2750 or by email at hazardmit@ewgateway.org.

STAY CONNECTED

SIGN UP

Ray Johnson

From: Ray Johnson
Sent: Monday, September 16, 2019 11:13 AM
To: City Council
Cc: Mike Geisel
Subject: RE: Fireworks complaints



Following a series of resident complaints received regarding the fireworks display at Logan College last Thursday evening, the matter of how the City regulates these displays has now been placed on the agenda for discussion by PH&S at their scheduled meeting which is set for next Tuesday Sept. 24th, 5:30PM.

However, just to keep things in proper perspective, there were a couple inferences in the complaints received by the Mayor and/or council that I would like to address as a point of information for you, prior to that meeting.

First, it was indicated that one complainant had called Chesterfield Police and was referred to St. Louis County Police. However, a review of our taped incoming telephone lines fails to substantiate that assertion. There were approximately 15 calls received by our clerks that evening, and a review of each taped conversation confirms that at no time was any caller referred to St. Louis County Police. In fact, there was no mention of St. Louis County Police in any capacity by any Chesterfield clerk during their conversation(s) with callers that evening.

Secondly, comments were made that "in consideration to the citizens of chesterfield, to see what can be done to stop these displays", characterizing the events as "unfair and inconsiderate to our citizens." The fact is, we as a City, have approved TWO permits thus far in 2019: the City's July Fourth Celebration, and the Chamber of Commerce "end-of-summer concerts" event; both of which, as you know, are long-standing fireworks displays here in the City of Chesterfield. The fireworks display at Logan College this past Thursday was NOT a City approved event and therefore we had no prior knowledge it was to occur.

I appreciate the opportunity to provide this follow-up information. And, if my response here sounds somewhat defensive, I apologize; that is certainly NOT my intent. I simply want to provide you, the Mayor and Council, with the most up to date and correct, verified, information possible. Again, this matter will be discussed further at the upcoming PH&S meeting on Sept. 24th. Thanks. RayJ

From: Ray Johnson
Sent: Friday, September 13, 2019 1:23 PM
To: City Council <CityCouncil@chesterfield.mo.us>
Cc: Mike Geisel <mgeisel@chesterfield.mo.us>
Subject: FW: Fireworks complaints

Additional info regarding the fireworks display at Logan College last night.....according to the Monarch Fire Marshall, Gateway Fireworks Co. DID apply for and receive a permit from Monarch. The Fire Marshall inspected the site last night prior to the display and approved everything. Certificates of Insurance were on file with Logan College. However, the Gateway Fireworks Co. did NOT apply for a City permit. We will be following up with them regarding their failure to do so.

From: Ray Johnson
Sent: Friday, September 13, 2019 12:16 PM
To: City Council <CityCouncil@chesterfield.mo.us>
Cc: Mike Geisel <mgeisel@chesterfield.mo.us>
Subject: Fireworks complaints

Ray Johnson

From: Ray Johnson
Sent: Friday, September 13, 2019 12:16 PM
To: City Council
Cc: Mike Geisel
Subject: Fireworks complaints

Mayor.....Members of Council....Mr. Geisel....As you are aware, we (The City) have/has received numerous complaints regarding a fireworks display at Logan College last night; and, I wanted to share with you the info we have on this matter thus far.

First, this was not a City of Chesterfield "approved" fireworks display. Logan College apparently rented out a portion of their facility to the "Chad's Coalition", a mental health related organization that works to prevent Children/Youth suicide. It was billed as "Chad's Illumination Ball", a fund raiser featuring a live auction, musical entertainment and dancing provided by local musicians, and a "special surprise ending" which apparently referred to the fireworks display. We're told that a member of the organization is in the "fireworks business" and provided the display. We are continuing to look into this matter, checking with the Fire District, Logan College Administration, etc., but at this point, it appears no permits were sought, nor issued. I'll advise of additional information as it develops. Thanks.

PH&S COMMITTEE
FOR CONSIDERATION/DISCUSSION

Fireworks Displays/Permits:

Potential Restrictions:
(In addition to ordinance restrictions)

Weekends, Federal Holidays, and, annual Chamber of Commerce concert events (Faust Park), only.
Approved displays must be completed and cease by 10:30 pm.

Possible events requesting Fireworks Permit
(Including but not limited to:)

Christmas/New Year's Eve Celebrations

4th of July

Pedal the Cause - Last weekend in September

Holi festival week - March

Diwali - October

Makara Sankranti - January

Chamber of Commerce – End of Concert Series – August/September

Also, various groups have contacted Parks Dept. about a fireworks and light show/party no specific date(s) at amphitheater throughout the concert season; primarily weekends and holidays.

Special events at government facilities.



FIREWORKS DISPLAY PERMIT

(City Ordinance #88 & #686)

DATE: _____

APPLICANTS NAME: _____

BUSINESS NAME: _____

ADDRESS OF APPLICANT: _____

TELEPHONE: _____

LOCATION OF DISPLAY: _____

DATE AND TIME OF DISPLAY: _____

NAME AND CONTACT PERSON FROM FIREWORKS COMPANY: _____

NOTE: Proof of insurance and a copy of the St. Louis County Fireworks Permit must be attached to this application.

APPROVAL

THE CITY OF CHESTERFIELD HEREBY GRANTS APPROVAL OF THE ABOVE DESCRIBED FIREWORKS DISPLAY. THIS PERMIT IS NOT TRANSFERRABLE NOR DOES IT PLACE ANY LIABILITY ON THE CITY OF CHESTERFIELD FOR THE DISPLAY.

Signed: _____ Date: _____
City Administrator

CPD-69

Chapter 13

FIRE PREVENTION AND PROTECTION

ARTICLE I In General

**Sec. 13-1. through Sec. 13-20.
(Reserved)**

ARTICLE II Fireworks

Sec. 13-21. Definitions.

**Sec. 13-22. Manufacture, sale, shipment
unlawful; exception.**

**Sec. 13-23. Explosion, ignition, discharge
unlawful.**

Sec. 13-24. Penalty for violation.

Cross references — Alarm systems, Ch. 3; buildings and building regulations, Ch. 7; explosives code, § 7-36 et seq; explosives code regulations not to apply to Police or Fire Departments, § 7-40; inspection of fire or accident scene for evidence of explosives, § 7-75; emergency management, Ch. 11; health and sanitation, Ch. 15; obedience to officers directing traffic, § 18-2; following fire apparatus prohibited, § 18-32; fire lanes, § 18-110; property damage by negligent burning or exploding, § 21-62; police, Ch. 24; parades not to interfere with proper fire protection or movement of firefighting equipment, § 26-19(4), (5).

State law reference — Authority of City to regulate and control certain fire hazards, RSMo. § 77.500.

ARTICLE I In General

Sec. 13-1. through Sec. 13-20. (Reserved)

ARTICLE II Fireworks ¹

Sec. 13-21. Definitions. ²

[Ord. No. 88, § 1, 6-1-1988]

As used in this article, unless clearly indicated otherwise, the following terms means:

COMMON FIREWORKS — Explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This includes aerial devices containing no more than two (2) grams (one hundred thirty (130) mg) of explosive

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1. Cross references — Explosives code, § 7-36 et seq.; explosives code not applicable to pyrotechnics, § 7-41.
 2. Cross reference — Definitions and rules of construction, § 1-2.

composition or ground devices containing no more than fifty (50) mg of explosive composition, all of which are classified as Class C explosives by regulation of the United States Department of Transportation.

FIREWORKS SEASON — The period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year.

PERSON — Any corporation, association, partnership or individual or group thereof.

SALE — An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals.

SPECIAL FIREWORKS — Explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two (2) grams (one hundred thirty (130) mg) of explosive composition intended for public display. These devices are classified as Class B explosives by regulation of the United States Department of Transportation.

Sec. 13-22. Manufacture, sale, shipment unlawful; exception.

[Ord. No. 88, § 2, 6-1-1988; Ord. No. 686, § 1, 6-15-1992]

- (a) It is unlawful for any person to manufacture, sell, offer for sale, ship or cause to be shipped into the corporate limits of the City of Chesterfield, any item of fireworks. This section applies to nonresidents as well as residents of the City.
- (b) Any person possessing or transporting special fireworks into the corporate limits of the City of Chesterfield for the purpose of conducting a special fireworks display shall be licensed by the state fire marshal as a distributor in accordance with Section 320.126 RSMo. 1985, as amended.
- (c) Before any permit for a special fireworks display shall be issued by the City Administrator, the fair association, amusement park, organization, firm, or corporation making the application therefor shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person, firm or corporation or any agent or employee thereof.

Sec. 13-23. Explosion, ignition, discharge unlawful.

[Ord. No. 88, § 3, 6-1-1988]

It is unlawful for any person to explode, ignite or discharge any articles of fireworks within the corporate limits of the City.

Sec. 13-24. Penalty for violation.**[Ord. No. 88, § 4, 6-1-1988]**

Violation of this article shall be a misdemeanor punishable by a fine not less than five dollars (\$5.00) and not more than five hundred dollars (\$500.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

BILL NO. 700

ORDINANCE NO. 686

AN ORDINANCE AMENDING CHAPTER 13, SECTION 13-22, OF THE CODE OF THE CITY OF CHESTERFIELD AS IT RELATES TO THE MANUFACTURE, SALE, AND SHIPMENT OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:

Section 1. Section 13-22, "Manufacture, sale, shipment unlawful" of the Code of the City of Chesterfield is hereby deleted in its entirety and replaced with the following provisions:

Section 13-22. Manufacture, sale, shipment unlawful --
Exception.

(a) It is unlawful for any person to manufacture, sell, offer for sale, ship or cause to be shipped into the corporate limits of the City of Chesterfield, any item of fireworks. This section applies to nonresidents as well as residents of the City.

(b) Any person possessing or transporting special fireworks into the corporate limits of the City of Chesterfield for the purpose of conducting a special fireworks display shall be licensed by the state fire marshal as a distributor in accordance with §320.126 RSMo. 1985, as amended.

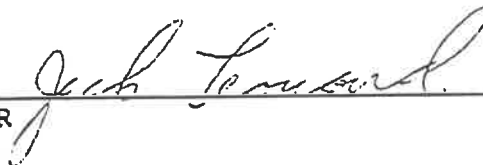
(c) Before any permit for a special fireworks display shall be issued by the City Administrator, the fair association, amusement park, organization, firm, or corporation making the application therefor shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person, firm or corporation or any agent or employee thereof.

Section 2. In all other respects, Chapter 13 of the Code of the City of Chesterfield is in full force and effect.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 15th day of JUNE, 1992.

MAYOR



ATTEST:

Theresa Greene
Deputy CITY CLERK