

TOWN OF KIAWAH ISLAND

**ORDINANCE 2023-05**

**AN ORDINANCE TO AMEND THE TOWN OF KIAWAH ISLAND MUNICIPAL CODE ARTICLE 15. – GENERAL OFFENSES, CHAPTER 2. - OFFENSES AGAINST PUBLIC PEACE, SECTION 15-209. - FIREWORKS AND EXPLOSIVES**

WHEREAS, the Town of Kiawah Island Code of Ordinances currently contains Article 15, Chapter 2, Section 15-209 governing fireworks and explosives; and

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to amend Section 15-209 to regulate the use of fireworks; and

WHEREAS, the Town of Kiawah Island believes that certain adjustments and amendments would not be detrimental to the public health, safety, and welfare of the Town of Kiawah Island; and

WHEREAS, the Town Council wishes to amend Section 15-209 governing fireworks and explosives.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.**

**Section 1                      Purpose**

The purpose of this Ordinance is to amend Article 15 – General Offenses, Chapter 2. - Offenses Against Public Peace, Section 15-209. - Fireworks and Explosives.

**Section 2                      Ordinance**

The Town hereby amends Section 15-209. - Fireworks and explosives; adding Subsections (d) and (e) as follows:

- (d) The use, firing, shooting, discharging, or ignition of any fireworks or similar explosives on any public beach or within the Town limits shall only be conducted, displayed, or exhibited by approved commercial entities for the 4<sup>th</sup> of July and New Year's Eve celebrations. The hours of lawful use will be extended until 10:30 p.m. for the July 4<sup>th</sup> celebration and 12:30 a.m. on January 1<sup>st</sup>, respectively. It is the responsibility of the approved vendor to remove all debris.
- (e) The Town prohibits the use of fireworks for weddings or non-sanctioned events.

**Section 3                      Severability**

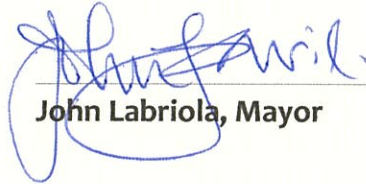
If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included.

If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

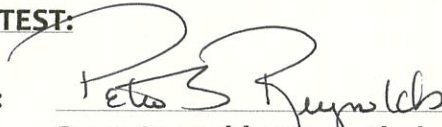
**Section 4**                      **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 6<sup>TH</sup> DAY OF JUNE 2023.**

  
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**John Labriola, Mayor**

**ATTEST:**

  
By: \_\_\_\_\_  
**Petra Reynolds, Town Clerk**

1<sup>st</sup> Reading: May 2, 2023

2<sup>nd</sup> Reading: June 6, 2023