

RESOLUTION NO. 22-067

June 14, 2022  
Madison Township, Lake County, Ohio

The Board of Madison Township Trustees in and for Madison Township, Lake County, Ohio, met this day in regular session with the following members present:

Mr. Gauntner, Mr. Anderson, and Mr. Wayman

Mr. Wayman presented the following Resolution and moved its adoption:

**A RESOLUTION OPTING-OUT OF H.B. 172 AND REAFFIRMING THE BAN ON DISCHARGING, IGNITING, OR EXPLODING FIREWORKS IN MADISON TOWNSHIP AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Governor recently signed H.B. 172, amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and

**WHEREAS**, H.B. 172 also provides that county, township, or municipal corporation may choose to restrict the days and times that a person may discharge consumer grade fireworks or may impose a complete ban on the discharge, ignition or explosion of consumer grade fireworks; and

**WHEREAS**, the Board of Trustees finds that a prohibition on the discharge of consumer grade fireworks will best protect the public's right to the quiet enjoyment of their premises; and

**WHEREAS**, this Board finds that the unsafe and illegal discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in densely populated residential and business areas; and

**WHEREAS**, Police Chief Matthew Byers strongly recommends that the Board of Trustees opt-out of H.B. 172 and prohibit the discharging, igniting or exploding of fireworks within the Township; and

**WHEREAS**, the Administration and Board of Trustees finds that it is in the best interests of the public to ban the discharge, ignition and explosion of fireworks otherwise permitted by H.B. 172 within Madison Township, Lake County, Ohio.

**NOW, THEREFORE, BE IT RESOLVED** by the Madison Township Board of Trustees, State of Ohio:

**SECTION 1.** That Board of Trustees expressly opt-out of the provisions set forth in H.B. 172, and bans the discharge, igniting or exploding of fireworks within the Township of Madison pursuant to its government authority set forth in Section 504.01(A)(3) of the Ohio Revised Code.

**SECTION 2.** It is found and determined that all formal actions of the Board of Trustees of Madison Township concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees of Madison Township and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution was passed at its first reading. For the reasons stated in the preamble and in order to provide orderly and efficient administration of Madison Township, this Resolution is declared to be an emergency measure and shall take effect immediately.

Be it further resolved that a copy of this Resolution be forwarded to Terry Gerred-Ditchcreek, Fiscal Officer, Tim Brown, Administrator, Matthew Byers, Police Chief, and Gary L. Pasqualone, Solicitor.

Mr. Anderson seconded the motion to adopt the resolution.

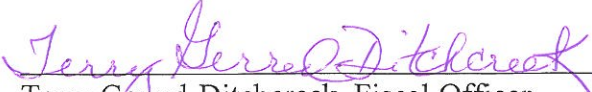
ROLL CALL: Mr. Gauntner: Yes Mr. Anderson: Yes  
Mr. Wayman: Yes

Resolution Adopted  
Terry Gerred-Ditchcreek, Fiscal Officer  
Madison Township, Lake County, Ohio

FISCAL OFFICER'S CERTIFICATE:

I, Terry Gerred-Ditchcreek, duly elected Fiscal Officer of Madison Township, Lake County, Ohio, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Board of Madison Township Trustees on June 14, 2022.

WITNESS MY H AND this 17<sup>th</sup> day of June, 2022, Madison Township, Lake County, Ohio.

  
Terry Gerred-Ditchcreek, Fiscal Officer  
Madison Township, Lake County, Ohio