

RESOLUTION 10596

A RESOLUTION REFERRING ORDINANCE 3278, AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF GREAT FALLS TO RESTRICT THE SALE AND USE OF CONSUMER FIREWORKS WITHIN THE INCORPORATED CITY LIMITS OF GREAT FALLS, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 4, 2025

WHEREAS, the City of Great Falls, Montana, established a charter form of government in 1986 with self-governing powers in accordance with Article XI, Section 5, of the Constitution of Montana; and

WHEREAS, the City of Great Falls is authorized by its Charter and Montana law to establish laws to protect the health, safety and welfare of the citizens of Great Falls; and

WHEREAS, Montana Code Annotated § 7-33-4206 specifically reserves to the City of Great Falls the “power to regulate or prohibit ... the explosion, use, or selling of fireworks, firecrackers, torpedoes, [and] other pyrotechnics ... within the city....;” and

WHEREAS, the City Commission has received support from community members urging the City to restrict the sale and use of aerial and/or exploding fireworks, otherwise permitted under state law, within the incorporated City limits; and

WHEREAS, the City Commission has also received opposition from community members requesting that the City continue to allow the sale and use of aerial and/or exploding fireworks, otherwise permitted under state law, within City limits; and

WHEREAS, Montana Code Annotated § 7-5-132 allows the City Commission to refer a proposed ordinance restricting the sale and use of aerial and/or exploding fireworks, otherwise permitted under state law, to a vote of the electors of the City; and

WHEREAS, the City Commission now wishes to submit the question of whether to restrict the sale and use of aerial and/or exploding fireworks, otherwise permitted under state law, within the incorporated City limits, to a vote of the electors of the City to be conducted on November 4, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

1. **REFERENCE:** The City Commission of the City of Great Falls has proposed an ordinance amending Official Code of the City of Great Falls § 9.9.030 “Permissible Fireworks,” to exclude fireworks that are designed to leave the

ground, and fireworks that are designed to explode upon ignition, except in authorized and permitted public displays within the City of Great Falls, and hereby refers the proposed ordinance to a vote of the people at a municipal election to be held on November 4, 2025. A full copy of the proposed ordinance is attached hereto, marked as Attachment “1,” and by this reference made a part hereof.

2. **FORM OF BALLOT:** The form of the ballot shall be as provided by law and as follows:

Statement of Purpose and Implication: This ballot measure asks voters to approve or disapprove an amendment to the Official Code of the City of Great Falls that would restrict the use, sale, and discharge of certain fireworks within city limits. The proposed ordinance would prohibit the use of aerial devices, such as shells, rockets, and cakes, and devices designed to explode, such as Roman candles, salutes, firecrackers, and similar items. The ordinance would continue to allow the use of novelty and other consumer fireworks (as defined by Montanan law)—such as sparklers, fountains, snakes, and other non-explosive, non-aerial fireworks.

This measure is intended to address public safety, fire risk, noise concerns, and impacts on veterans, pets, and vulnerable residents, while still permitting personal celebration with lower-risk fireworks.

Proposal: The City Commission of the City of Great Falls has proposed an amendment to Section 9.9.030 of the Official Code of the City of Great Falls, to limit the type fireworks allowed to be sold or discharged within the incorporated City limits. The amended Section 9.9.030 is shown below, with proposed deleted language in strikeout and inserted language in bold:

9.9.030 Permissible fireworks.

~~Only those fireworks authorized by state law are permissible.~~

- A. **Fireworks permitted to be sold and discharged within the municipal limits of the City of Great Falls are limited to those allowed by Mont. Code Ann. § 50-37-105 (2025), except that the following fireworks are strictly prohibited:**
 - 1) **fireworks designed to leave the ground, such as rockets, shells, cakes, missiles, and roman candles; and**
 - 2) **fireworks designed to explode upon activation, such as salutes and firecrackers. Permitted fireworks typically include sparklers, fountains, ground spinners, snap caps, smoke devices, and novelty items.**
- B. **Except as provided in paragraph A, above, or in city-approved and permitted public displays, fireworks (as defined by Mont. Code**

Ann. § 50-37-101) are not permitted to be sold and/or discharged within the city limits under this Chapter.

[] **YES** on Ballot Issue _____, Number _____.

[] **NO** on Ballot Issue _____, Number _____.

3. **CERTIFICATION:** The City Clerk shall certify this Resolution and attached proposed Ordinance amendment to the Cascade County Election Official as provided by law.
4. **EFFECTIVE DATE:** This Resolution shall be effective upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on August 5, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David G. Dennis, City Attorney

ATTACHMENT “1”

ORDINANCE 3278

AN ORDINANCE AMENDING TITLE 9, CHAPTER 9, SECTION 030, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) TO RESTRICT THE SALE AND USE OF CERTAIN CONSUMER FIREWORKS WITHIN THE INCORPORATED CITY LIMITS OF GREAT FALLS

* * * * *

WHEREAS, the City of Great Falls, Montana, established a charter form of government in 1986 with self-governing powers in accordance with Article XI, Section 5, of the Constitution of Montana; and

WHEREAS, the City of Great Falls is authorized by its Charter and Montana law to establish laws to protect the health, safety and welfare of the citizens of Great Falls; and

WHEREAS, Montana Code Annotated § 7-33-4206 specifically reserves to the City of Great Falls the “power to regulate or prohibit ... the explosion, use, or selling of fireworks, firecrackers, torpedoes, [and] other pyrotechnics, ... within the city....;” and

WHEREAS, the City Commission has received support from community members urging the City to restrict the sale and discharge of fireworks, otherwise permitted under state law, within the incorporated City limits; and

WHEREAS, the City Commission has also received opposition from community members requesting that the City continue to allow the sale and discharge of fireworks, otherwise permitted under state law, within the incorporated City limits; and

WHEREAS, Montana Code Annotated § 7-5-132, MCA allows the City Commission to refer a proposed ordinance limiting the sale and discharge of fireworks, otherwise permitted under state law, to a vote of the electors of the City; and

WHEREAS, the City Commission now wishes to submit the question of whether to amend OCCGF Title 9 to limit the types of permitted fireworks within the City of Great Falls to a vote of the electors of the City to be conducted on November 4, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, CONDITIONED UPON APPROVAL BY A VOTE OF THE ELECTORS OF THE CITY:

Section 1. The provisions of OCCGF Title 9, Chapter 9, Section 030, are hereby proposed to be amended as depicted by Exhibit “A” attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This proposed ordinance shall be in full force and effect immediately upon certification by the Cascade County Election Administrator of an election result showing that a majority of the electors of the City of Great Falls voting in the election to be conducted on November 4, 2025, have voted in favor of this proposed ordinance. In the event that the Cascade County Election Administrator certifies an election result showing that a majority of the electors of the City of Great Falls voting in that election have voted against this proposed ordinance, this ordinance shall be null, void and of no legal force or effect.

REFERRED TO THE VOTERS via Resolution 10596 by the City Commission of the City of Great Falls, Montana, this 5th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David G. Dennis, City Attorney

Ordinance 3278 Exhibit “A”

Title 9 – PUBLIC PEACE, MORALS AND WELFARE

9.9.030 Permissible fireworks.

~~Only those fireworks authorized by state law are permissible.~~

- A. Fireworks permitted to be sold and discharged within the municipal limits of the City of Great Falls are limited to those allowed by Mont. Code Ann. § 50-37-105 (2025), except that the following fireworks are strictly prohibited: 1) fireworks designed to leave the ground, such as rockets, shells, cakes, missiles, and roman candles; and 2) fireworks designed to explode upon activation, such as salutes and firecrackers. Permitted fireworks typically include sparklers, fountains, ground spinners, snap caps, smoke devices, and novelty items.**
- B. Except as provided in paragraph A, above, or in city-approved and permitted public displays, fireworks (as defined by Mont. Code Ann. § 50-37-101) are not permitted to be sold and/or discharged within the city limits under this Chapter.**

(Ord. 3278, 2025; Ord. 3158, 2017; Ord. 2965, 2007)
