

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

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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)
