

**ORDINANCE NO. 388**

**AN ORDINANCE OF THE CITY COUNCIL OF CITY OF MOORPARK, CALIFORNIA, ADDING CHAPTER 8.64, FIREWORKS PROHIBITED, TO TITLE 8, HEALTH AND SAFETY, OF THE MOORPARK MUNICIPAL CODE**

WHEREAS, the City Council has determined that Chapter 8.64, Fireworks Prohibited, should be added to the Moorpark Municipal Code to clearly identify that all fireworks, as defined by California Health and Safety Code and the Ventura County Fire Protection District Fire Code (VCFC), including “safe and sane fireworks”, are prohibited in the City of Moorpark, with the exception of public displays and theatrical/special effects authorized by a valid VCFC permit and applicable City temporary use or park rental permit; and

WHEREAS, Chapter 8.64 is also proposed to include the penalty for violation of any provision or requirement of Chapter 8.64.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.64, Fireworks Prohibited, of Title 8, Health and Safety, of the Moorpark Municipal Code is hereby added to read as follows:

**“Chapter 8.64  
FIREWORKS PROHIBITED**

**Sections:**

**8.64.010      Prohibition.  
8.64.020      Violation.**

**8.64.010      Prohibition.**

All fireworks, as defined by California Health and Safety Code and the Ventura County Fire Protection District Fire Code (VCFC), including “safe and sane fireworks”, are prohibited in the City of Moorpark, with the exception of public displays and theatrical/special effects authorized by a valid VCFC permit and applicable City temporary use or park rental permit.

**8.64.020      Violation.**

Any violation of any provision of, or failure to comply with, any requirement of this chapter may be prosecuted as an infraction or misdemeanor consistent with section 1.10.020 of this code and, upon conviction thereof, the person so prosecuted shall be punished in accordance with this code. The remedies provided by this code are cumulative and in addition to any other remedies available at law or in equity.”

SECTION 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 3. This ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this 2nd day of June, 2010.

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Janice S. Parvin, Mayor

ATTEST:

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Deborah S. Traffenstedt, City Clerk