

**ORDINANCE NO. 833-24**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF  
QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN  
CODE CHAPTER 9, ARTICLE 9-4-4, FIREWORKS**

**WHEREAS**, A.R.S. § 36-1606, as amended, allows the Town to regulate permissible consumer fireworks and their sale subject to limitations set forth in the statute; and

**WHEREAS**, A.R.S. § 36-1606 permits the Town to regulate the sale and use of permissible consumer fireworks; and

**WHEREAS**, A.R.S. § 36-1606(A)(1)(b) and (c) grant the Town the authority to prohibit the sales of permissible consumer fireworks on days other than the two days before the first day of Diwali through the third day of Diwali each year, and to prohibit the use of permissible consumer fireworks on days other than the second and third days of Diwali each year; and

**WHEREAS**, the Common Council has determined that it is necessary at this time to amend the Town's Code to bring its regulations regarding fireworks in line with the requirements articulated by Arizona law.

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF QUEEN  
CREEK, ARIZONA, AS FOLLOWS:**

**Section 1:** The Queen Creek Town Code, Section 9-4-4(B)(1) is amended to read as follows:

**[Deletions shown in strikethrough and additions in ALL CAPITALS]**

It is It is unlawful for any person to use, discharge or ~~ignition~~ **IGNITE** of fireworks within the Town as provided in A.R.S. Title 36, Chapter 13, and Article 1. The use, discharge or ignition of permissible consumer fireworks is limited to May 4 through May 6, June 24 through July 6, December 24 through January 3 each year **AND THE SECOND AND THIRD DAYS OF DIWALI OF EACH YEAR.**

**Section 2:** The Queen Creek Town Code, Section 9-4-4(C) is amended as follows:

C. SALE and Pposting of signs by persons engaged in the sale of fireworks.

1. IT IS UNLAWFUL FOR ANY PERSON TO SELL FIREWORKS WITHIN THE TOWN ON DAYS OTHER THAN APRIL 25 THROUGH MAY 6, MAY 20 THROUGH JULY 6 AND DECEMBER 10 THROUGH JANUARY 3 OF EACH YEAR AND TWO DAYS BEFORE THE FIRST DAY OF DIWALI THROUGH THE THIRD DAY OF DIWALI EACH YEAR. Page 1 of 2  
[Renumbering 9-4-4(C)(1) -(3) as (2) – (4)]

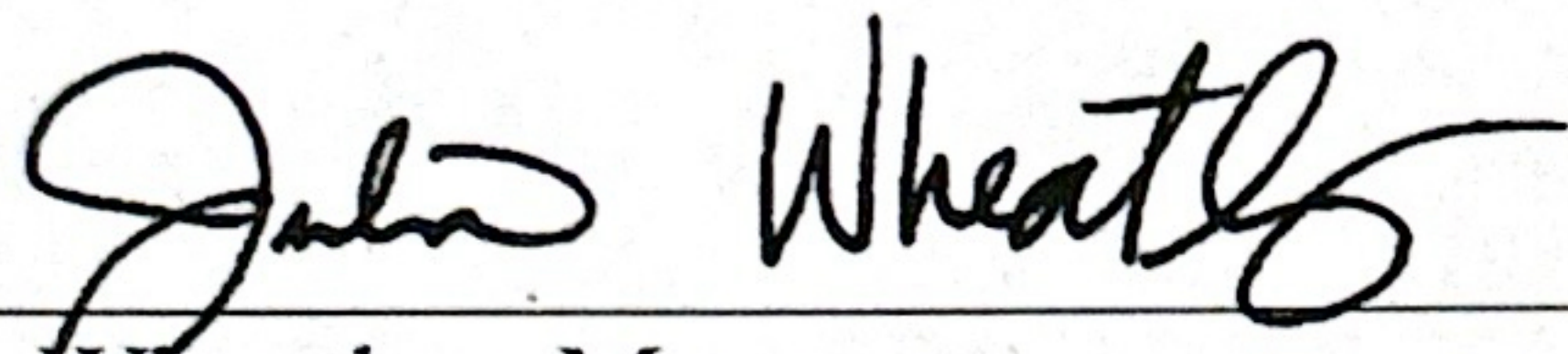
**Section 3:** The amendment of the Article 9, Section 9-4-4(B)(1) and (C) set forth above does not affect the rights and duties that matured, or penalties that were incurred and proceedings that were begun before the effective date of the repeal

**Section 4:** If any section, subsection, clause, phrase or portion of this Ordinance or any part of these amendments to the Town Code is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

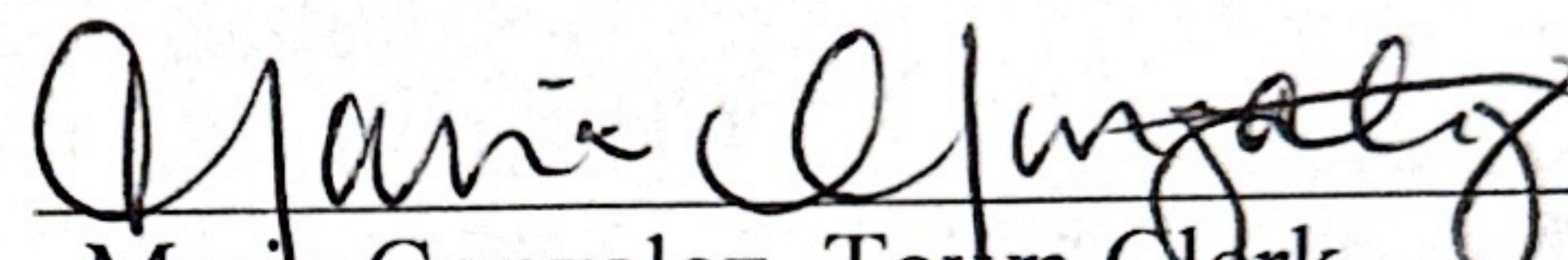
**Section 5:** At least one paper copy and one electronic copy of this Ordinance and Exhibit(s) are to be filed with the Town Clerk.

**PASSED AND ADOPTED** by the Common Council of the Town of Queen Creek, Arizona, this 17th day of April, 2024.

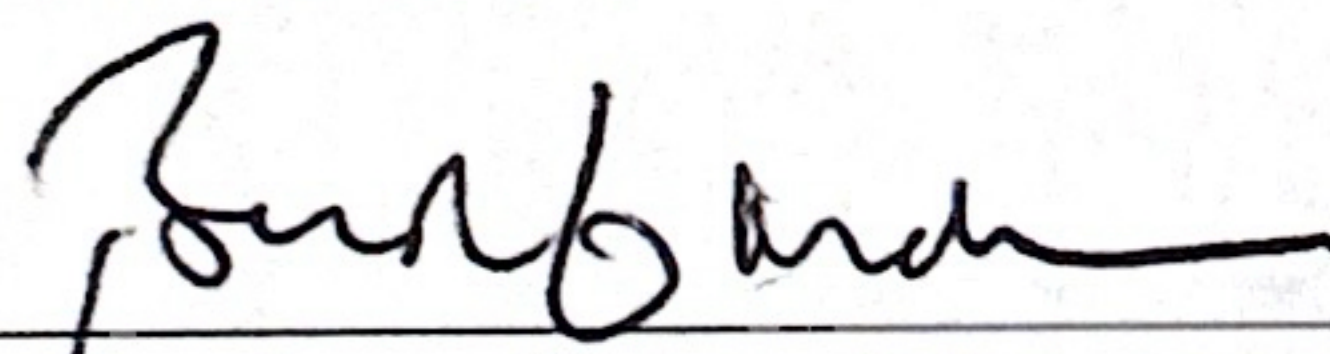
FOR THE TOWN OF QUEEN CREEK:

  
\_\_\_\_\_  
Julia Wheatley, Mayor

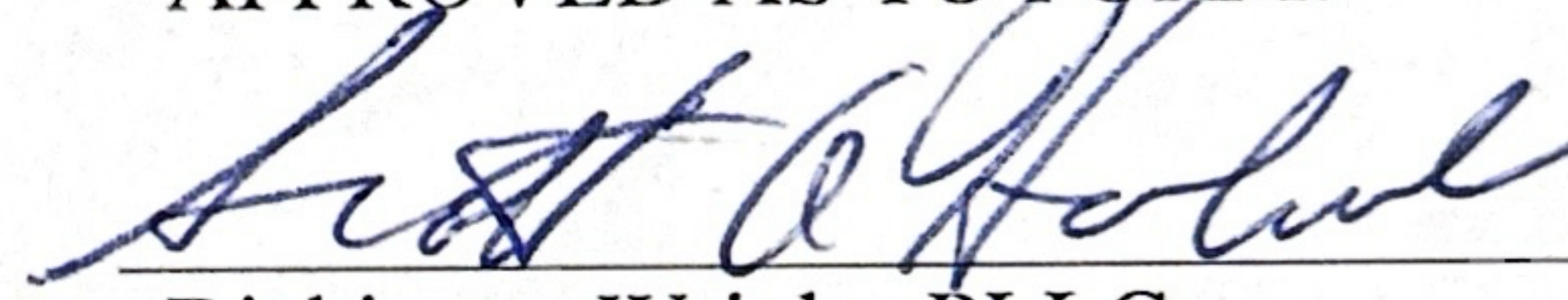
ATTESTED TO:

  
\_\_\_\_\_  
Maria Gonzalez, Town Clerk

REVIEWED BY:

  
\_\_\_\_\_  
Bruce Gardner, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Dickinson Wright, PLLC  
Town Attorneys

**EXHIBITS ON FILE AT THE TOWN CLERK'S OFFICE**