**MEMORANDUM**

 TO: Cape Elizabeth Town Council

 FROM: Ordinance Committee

 DATE: September 29, 2011

 SUBJECT: Fireworks Ordinance

At the September 21, 2001 meeting, the Ordinance Committee discussed the changes in state law that eliminates regulation of consumer fireworks as of January, 2012. Regulation of fireworks commonly used in performances remains in state law.

The proposed ordinance amendments are modeled after the ordinance adopted by the City of Portland on September 19, 2011. Police Chief Neil Williams and Fire Chief Peter Gleeson attended the meeting and supported adoption of a local ordinance to protect public safety.

By a vote of 3-0, the Ordinance Committee recommends that the Town Council adopt the attached amendments to the Town of Cape Elizabeth Miscellaneous Offenses Ordinance to reestablish a prohibition on the sale, possession or use of consumer fireworks.