



Special City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
July 29, 2025
5:30 PM

The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.

Public participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

Meeting Decorum Statement

1. Members of the public shall address their comments to the presiding officer and the Commission as a body and not to any individual member of the Commission or City staff.
2. Speakers shall keep their comments germane to the subject item on the agenda or, during petitions and communications, matters of significant public interest which are within the jurisdiction of the Commission.
3. Be respectful and do not engage in disorderly or boisterous conduct, including but not limited to applause, booing, or making any remarks that are, threatening, profane, abusive, personal, or slanderous that disturbs, disrupts, or otherwise impedes the orderly conduct of our meeting.
4. Signs, placards, banners, or other similar items shall not be permitted in the audience during our City Commission meeting.
5. Remain seated, unless addressing the body at the podium or entering or leaving the meeting. Private or informal conversations may occur outside of the Chambers. Obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.

A complete copy of Rule 10 pertaining to the public participation is available on the table in the Commission Chambers and is included with the Meeting posting on the City's Website.

CALL TO ORDER

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PETITIONS AND COMMUNICATIONS

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)

1. Miscellaneous reports and announcements.

ORDINANCES / RESOLUTIONS

2. Resolution 10596: A Resolution Referring Ordinance 3278, an Ordinance Amending Title 9, Chapter 9, Section 030, of the Official Code of the City of Great Falls to Restrict Permissible Fireworks for Sale and Discharge, to a Vote of the People at an Election to be Held on November 4, 2025. *Action: Set or not set a public hearing on Res. 10596 for August 5, 2025. (Presented by David Dennis)*

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>.



Special Commission Meeting Date: July 29, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Set Public Hearing for Resolution No. 10596: A Resolution Referring Ordinance No. 3278, an Ordinance Amending Title 9, Chapter 9, Section 030, of the Official Code of the City of Great Falls to Restrict Permissible Fireworks for Sale and Discharge, to a Vote of the People at an Election to be Held on November 4, 2025

From: David G. Dennis, City Attorney

Initiated By: City Commission

Presented By: David G. Dennis, City Attorney

Action Requested: Set a public hearing to consider Resolution 10596 for August 5, 2025

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing to consider Resolution 10596 for August 5, 2025.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the Commission set a public hearing date for August 5, 2025 for consideration of Resolution No. 10596.

Background: Fireworks have long been a topic of discussion and concern in Great Falls, with strong opinions expressed on both sides of the issue over the course of several decades. In recent years, this issue has drawn renewed attention from residents and stakeholders.

The City Commission has received significant input from community members regarding the sale and use of fireworks within the incorporated City limits. Many residents have voiced support for restricting these types of fireworks, citing concerns related to public safety, fire hazards, noise disturbances, and negative impacts on veterans, pets, and other vulnerable populations. These individuals urge the City to adopt stricter local regulations—beyond those permitted under state law—to address these concerns.

Conversely, the Commission has also received opposition from community members who wish to preserve the ability sell, purchase or use fireworks, as currently allowed under Montana state law. These residents emphasize personal freedom, traditional celebration, and economic considerations.

The City Commission has the authority to refer policy questions to the City electorate by ballot issue and has indicated to staff that it would like to place the issue on the November 4, 2025 general election ballot. Under Montana law—Mont. Code Ann. § 7-5-131 and 2025 SB 11—the Commission may refer a proposed amendment to a City ordinance to a vote of the people. Resolution 3278, as presented, will officially refer the question to the electors on the November ballot. Resolution 3278 refers the following form of ballot to the voters at the November 4, 2025 general election:

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 _____.

In conjunction with this Resolution and ballot question, City staff is proposing Ordinance 3278 be presented to the electors for decision. Ordinance 3278 will only be incorporated into the OCCGF upon a majority “Yes” vote to the above question.

Fiscal Impact: The City’s estimated cost to add this question to the ballot for the November 4, 2025 general election is Eighty-Eight Dollars (\$88.00).

Attachments/Exhibits:

Resolution 10596

Ordinance 3278

Ordinance 3278, Exhibit A

Notice of Public Hearing

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)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that Resolution 10596, titled “A Resolution Referring Ordinance 3278, An Ordinance Amending the Official Code of the City of Great Falls to Limit 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,” will be brought before the Great Falls City Commission for a public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, MT, on August 5, 2025 at 7:00 P.M.

Any interested person may appear and speak for or against Resolution 10596 at the public hearing, or submit written comments to the Great Falls City Commission, P.O. Box 5021, Great Falls, MT 59403, or by email to commission@greatfallsmt.net before 12:00 PM on Tuesday, August 5, 2025. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before the final vote on the matter and will be so noted in the official record of the meeting.

The agenda packet will be made available on the City’s website: <https://greatfallsmt.net/meetings>, and is on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451. If special accommodations for disabilities are needed, please use the Text Telephone (TTY) Montana Relay Service at 1-800-253-4091 or dial 711.

GREAT FALLS CITY COMMISSION

/s/ Lisa Kunz, City Clerk

-end-

Publication Dates: July 27th and August 3rd, 2025