

Hills considers crackdown on fireworks

By Joanne Malazewski
staff writer

First came the Farmington Hills "host liability" ordinance.

Now there's a move afoot to hold adults — parents and homeowners — responsible for the possession, sale and use of fireworks on private property.

Fire Chief Richard Marinucci and Police Chief William Dwyer sought city

council consideration Monday for an amendment to the city's fireworks ordinance.

The request comes in response to growing concern over a substantial increase in the number of fireworks violations. Through August of this year, 140 fireworks complaints have been made, Dwyer said. That's compared to 104 in all of 1984. Of the 140 complaints this year, five adults and three

juveniles have been found in violation of the city ordinance.

The city council did not make a decision Monday. Instead, in a 6-1 vote, council members requested City Attorney Paul Bibeau to research whether it's appropriate to amend the ordinance to make adults responsible.

Councilwoman Joan Dudley opposed the request. "As you know, I am extremely sensitive about the city creat-

ing this kind of liability," Dudley said.

PROVING A particular homeowner is responsible for fireworks going off in their yard is going to be difficult, Dudley added.

Councilman Charles Williams voiced a similar opinion. "I think this might be a situation that's a little harder to prove than when the police walk up to a party and watch teenagers drinking," he said.

Under the existing local ordinance, police have little authority to do anything if a complaint is not signed by a witness or if a police officer has not witnessed the fireworks violation, Dwyer said. Ordinance violation is a misdemeanor that carries a maximum

penalty of 90 days and \$500 fine.

"Now we can't do anything unless we can positively identify the violator," Dwyer said.

Under the chief's request, the ordinance would be amended to allow police to hold a property owner responsible if a witness can provide evidence that the fireworks went off at a particular house, Dwyer said.

AS WITH the house party ordinance, "it would be the homeowner, parent or adult (who is held responsible)," Dwyer said.

Earlier this year, the Farmington Hills City Council adopted a host liability ordinance that makes it illegal for an adult age 17 or older in control of a

residence to allow house parties where minors are drinking or in possession of alcohol or drugs. The key phrase in the ordinance indicates a violation took place if the adult present "knew or reasonably should have known" what was going on. Violation is a misdemeanor. Although Dwyer suggested that violation of an amended fireworks ordinance should carry a maximum penalty of 90 days in jail and a \$500 fine, Dudley disagreed.

Violation of such an ordinance should be a civil penalty, not a criminal one, Dudley said. "Unlike drinking, fireworks are set off outside," Dudley said. It's easy for trespassers to set off fireworks on property whose owner would be held responsible, she added.

O&E front line changed

See "Crackerbarrel" on Page 14A and "Hello, Farmington" on Page 1A.

A major realignment of Observer & Eccentric Newspapers editors took effect this week, according to Managing Editor Steven M. Barnaby. The changes:

• Kathleen Moran — to the new position of assistant managing editor for six Oakland County editions.

• Robert Sklar — editor of the Farmington Observer.

• Judith Doner Berne (former Farmington Observer editor) — editor of the Birmingham and West Bloomfield Eccentrics.

• Marilyn Fitchett — sports coordinator for all 12 editions.

• Carl Stoddard — copy desk chief for all 12 papers.

MORAN, 36, was editor of the Troy Eccentric for the past 9½ years. Previously, she was editor of the Redford Observer for two years.

She started her career after graduating from Michigan State University in

1970 with a bachelor's degree in journalism and was county staff reporter and Plymouth Observer reporter. She is a 1966 graduate of Ladywood High School in Livonia. She and husband Wylie Gerdes have one daughter and a son. Sklar, 34, had been a reporter and then editor at the Rochester Eccentric since 1974. Before that, he was sports editor of The Eccentric in Birmingham for 1½ years. He earlier worked as a correspondent for the Southfield Eccentric and the Detroit Suburban Newspapers.

He earned a bachelor's degree in journalism from the University of Michigan in 1972. He is a graduate of Henry Ford High School in Detroit. He and his wife, Beth, have one son and one daughter.

MARILYN FITCHETT becomes sports coordinator, a post she has filled on an interim basis, leading the coverage of sports in a host of leagues in two counties.

With a bachelor's degree from Wayne State University, she began working for these papers as a reporter in 1974, was Westland Observer editor

in 1975, a copy editor in 1976 and chief of the copy desk since 1977. She is pursuing graduate work in business administration at the University of Detroit.

Carl Stoddard, 35, who succeeds her as chief of the copy desk, previously was editor of the Southfield Eccentric. He was graduated from Michigan State University with a bachelor's degree in journalism and joined the Southfield Eccentric as a reporter in 1973. Stoddard was appointed editor in 1978. He is completing requirements for a master of arts degree in journalism at Michigan State University. He and his wife, Sylvia, have one son, Matthew.

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