

ORDINANCE 2008- 08

ORDINANCE PROHIBITING USE OF FIREWORKS AND OTHER PYROTECHNIC DEVICES WITHIN THE CITY LIMITS OF THE CITY OF BULL SHOALS, ARKANSAS, EXCEPT DURING DESIGNATED PERIODS OF THE YEAR, REGULATING SALES AND USE THEREOF DURING DESIGNATED PERIODS OF THE YEAR, AND EXCLUDING PUBLIC DISPLAY/EXHIBIT SPONSORED EVENTS BY CERTIFIED PYROTECHNICS TECHNICIAN(S) WHICH COMPLY WITH FEDERAL, STATE, COUNTY OR LOCAL STATUTES, REGULATIONS AND PERMITS.

WHEREAS, the use of fireworks and other pyrotechnic devices are traditions of two national holidays: January 1-New Years Day and July 4-Independence Day, and

WHEREAS, the discharge of fireworks and other pyrotechnic devices in some uses and settings are a nuisance, and

WHEREAS, the misuse of fireworks and other pyrotechnic devices can be hazardous, dangerous and lethal to individuals, animals and/or property,

Now, therefore, be it ordained by the City Council of Bull Shoals, Arkansas:

SECTION 1. SALES, DISCHARGE AND USE LIMITATIONS

- A. A Temporary Use permit is required by any person(s), firms(s), corporation(s) and/or other organization(s) to sell and distribute fireworks and other pyrotechnic devices within the City Limits of Bull Shoals. Applicants shall comply with all applicable federal, state, county and local statutes, regulations and permits. Said application for a Temporary Use permit shall be reviewed and approved by the Bull Shoals Fire Chief.
- B. Sale of fireworks and other pyrotechnic devices is limited to persons sixteen (16) years and older, and otherwise comply with all federal, state, county and local statutes, regulations and permits.
- C. Use or discharge of fireworks and other pyrotechnic devices by person(s), firm(s), corporation(s) and/or other organization(s), excluding public display/exhibit sponsored events by certified pyrotechnics technician(s), is limited to the following dates and hours.

- 1 New Year's Day (January 1)
December 28-31 and January 2-4 8 a.m.-10 p.m.
January 1 12:01 a.m. - 1 a.m; 8 a.m.- 10 p.m.
- 2. Independence Day (July 4)
June 30- July 3 and July 5-7 8 a.m. - 10 p.m.
July 4 8 a.m. - midnight.

SECTION 2. LOCATION LIMITATION

- A. The discharging of fireworks and other pyrotechnic devices by person(s), firm(s), corporation(s) and/or

other organization(s) shall be on property owned by said person(s), firm(s), corporation(s) and/or other organization(s), excluding public display/exhibit sponsored events by certified pyrotechnics technician(s), unless written permission has been received from other property owner(s) to use said property for that purpose.

Additionally, person(s), firm(s), corporation(s) and/or other organization(s) shall be responsible for any parts or damage caused by any parts of fireworks and other pyrotechnic devices falling on persons and/or their property other than their own property. If said person(s) under the age of eighteen (18) years is found responsible for above stated damages, the parents or guardians shall be held responsible.

- B. No fireworks or other pyrotechnic devices may be used or discharged on any public property, including streets and byways, of the City of Bull Shoals, unless permission is granted by authorized City officials for said purposes.

SECTION 3. USE ENDANGERING PERSONS, ANIMALS OR PROPERTY

Use of fireworks and other pyrotechnic devices such as, but not limited to, targeting or irresponsible use of fireworks and other pyrotechnic devices endangering the health, safety and welfare of persons, animals, vehicles, and properties, is prohibited. Each occurrence is a violation of this ordinance.

SECTION 4. PENALTY

Person(s), firm(s), corporation(s) and/or other organization(s), excluding public display/exhibit sponsored events by certified pyrotechnics technician(s), found guilty of violation of this ordinance shall be guilty of a misdemeanor and shall upon conviction be fined not less than Seventy-five dollars (\$75) and not more than Two Hundred dollars (\$200) for each and every violation.

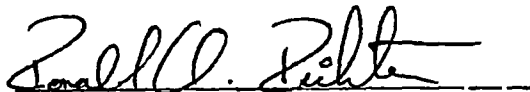
SECTION 5. SEVERABILITY

If any portion of this ordinance be held invalid, such invalidity shall in no way effect the remaining portions thereof which are valid, but said valid portions shall be and remain in full force and effect.

SECTION 6. REPEALER

Any ordinance or parts of ordinances in conflict herewith of this ordinance are hereby repealed.

PASSED AND APPROVED THIS 24th DAY OF April, 2007



Ronald A. Richter, MAYOR

ATTEST:



Kimberly Williams, RECORDER-TREASURER

Posted 4/30/08
