

611

ORDINANCE NO. 97-3

AN ORDINANCE WHEREBY THE CITY OF ANNETTA NORTH, TEXAS PROHIBITS THE USE OF FIREWORKS WITHIN THE CITY LIMITS AS STATED IN DETAIL BELOW AS FOLLOWS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNETTA NORTH, TEXAS :

I

*** 5.401 FIREWORKS PROHIBITED**

It shall be unlawful for any person to give away, sell, offer or expose for sale, or have in possession with intent to give away, sell or use, discharge or cause to be discharged, ignited, fired or otherwise set in action, or to possess with the intent to discharge or cause to be discharged, ignited, fired, or otherwise set in action within the limit of the city, any fireworks, firecrackers, rockets, sparkler, torpedoes, roman candles, fire-balloons, or other fireworks or substances of any combination whatsoever designed or intended for pyrotechnic display except as hereinafter provided.

*** 5.402 EXCEPTIONS FOR PROHIBITION**

The article shall not apply to the sale of any such article or articles by wholesalers to each other, or to the sale of any such article or articles at wholesale for private or public demonstrations as hereinafter provided, or to the storage of any such article or articles by such wholesalers for any of such purpose, or to the sale, storage or use of colored flares or railroad track torpedoes or other transportation signaling devices, or to the sale, storage or use of flashlight composition by photographers or dealers in photographic supplies, or to the sale, storage or use of blank cartridges for theatrical purpose or for signal purpose in athletic contests or sports events, for the use of any police organization or federal or state militia.

***5.403 SUPERVISED DISPLAYS; PERMIT REQUIRED; CONTENTS OF APPLICATION**

Permits for the public or private display of fireworks may be issued by the fire marshal, provided, a person desiring to display and fireworks shall apply in writing to the fire chief for a permit at least fifteen (15) days in advance of the date of the proposed display and shall set forth:

- a. The name of the organization sponsoring the display together with the names of persons actually in charge of the firing of the display.
- b. The date and time of day at which the display is to be held.

- c. The exact location planned for the display.
- d. The description setting for the age, and experience in display of fireworks, of the persons who are to be doing the actual discharging of the fireworks.
- e. The number and kinds of fireworks to be discharged.

II

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

III

This ordinance shall be effective from and after its passage and publication as required by law.

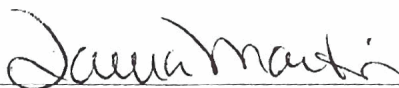
PASSED AND ADOPTED this 13TH day of OCTOBER, 1997

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY

*State Law reference - Authority of city to prohibit or regulate fireworks, V.T.C.A., Local Government Code, * 342,003(8).