

ORDINANCE NO. 79-103

AN ORDINANCE REGULATING THE SALE OF FIREWORKS, IGNITING AND EXPLODING OF FIREWORKS WITHIN THE CITY LIMITS, THE EXCEPTIONS TO THIS ORDINANCE AND THE PENALTY FOR SUCH VIOLATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:

Finding of Council.

The City Council does hereby find and determine that fireworks, consisting of firecrackers, Roman Candles, torpedoes, skyrocket, bombs, sparklers, flares and other articles of like nature consisting of gunpowder and other explosive materials, ignited and exploded within the City limits create a hazard to the life and limb of both pedestrians and vehicular traffic and also create a fire hazard to the property, and that the prevention of the sale of such fireworks within the City limits of the City of De Leon would greatly reduce, if not eliminate, the hazards and dangers.

Sale Unlawful.

Hereafter it shall be unlawful for any person to sell or offer for sale within the City limits of the City of De Leon fireworks consisting of firecrackers, Roman Candles, torpedoes, skyrocket, bombs, sparklers, flares and other articles of like nature consisting of gunpowder and other explosive materials.

Unlawful to explode on street or alley.

The City Council finds that it also creates a hazard and damage to life and limb to fire or explode any firecracker, Roman Candle, torpedo, skyrocket, bomb, sparkler, flare or article of like nature consisting of gunpowder and other explosive materials, on any public street or alley within the City of De Leon, and it shall hereafter be unlawful for any person to ignite or explode any of such fireworks just named on any public street or alley or public place within the City limits of the City of De Leon.

Exhibition

No person shall exhibit or have in his possession, with the intent to give away, offer for sale, or sell, within the city, any combustible fireworks of any kind.

Exceptions - Firework Displays.

Nothing shall be construed to prevent any public or private demonstration or display of fireworks of any kind if conducted under proper police supervision after application made and a permit is issued by the Chief of the fire department of the city for such demonstration. Permit shall not be granted unless such demonstration or display be of such character and so located, discharged, or fired as in the opinion of such chief, after proper inspection, shall not be hazardous to property or endanger any person or persons.

Penalty - Misdemeanor

Every person violating any provision of this ordinance shall, upon conviction, be penalized by a fine of not less than \$1.00 nor more than \$200.00, and each day that such fireworks are offered for sale shall constitute a separate offense.

Passed on the first reading this the 14<sup>th</sup> day of August, 1979.

Passed on the second reading this 30<sup>th</sup> day of August, 1979.

Passed on third and final reading this 12<sup>th</sup> day of September, 1979.

  
MAYOR

ATTEST:

  
CITY SECRETARY