

FIREWORKS:

- 840301 Prohibiting the Use of Fireworks
- 930628 Amending Ordinance 840301 to include prohibition of possession of fireworks

ORDINANCE NO. 840301

PROHIBITING THE USE OF FIREWORKS,
THE SALE OF FIREWORKS,
AND FIREWORKS DISPLAYS

WHEREAS, a public necessity exists that the use of fireworks and fireworks displays hereinafter defined, be prohibited within the Town of China Grove in order to protect the peace, quiet, order, safety, and environment of the people of China Grove;

Now, therefore;

BE IT ORDAINED by the Town Council of the Town of China Grove, Texas, that:

It shall be unlawful for any person to in any manner use, shoot, discharge, explode, ignite, display any fireworks within the city, except as provided for in this section.

It shall be unlawful for any person, corporation or entity to offer for sale, sell, give away or otherwise convey any firework or fireworks within the corporate limits of the Town of China Grove.

Any citizen of the city may give a public fireworks display, provided he secures a permit therefore from the town council as herein provided. Application therefore shall be addressed to the Town Council, shall state the name and residence of the applicant, the time and place of the proposed exhibition, a description of the kind, character and quantity of the fireworks intended to be displayed, and shall be accompanied by a cashier's or certified check for one hundred dollars.

The Town Council shall pass upon such application and may grant or reject same within its discretion. If same is rejected, the check for one hundred dollars shall be returned to the applicant; if it is granted, such check shall be deposited to the general fund and be retained as a fee fro the permit. A certified copy of the council's action of approval shall constitute the applicant's permit.

No such permit shall be granted to any applicant more than twice during any calendar year, and any fireworks display thereunder shall be concluded not later than ten o'clock p.m. on the date specified.

No such application shall be granted by the Town Council unless the written recommendation of the fire chief and the fire marshal have been endorsed thereon.

As used in this section the term "fireworks" shall be given its usual and ordinary meaning, and shall include but not limited to the following: firecrackers, Roman candles, sparklers, torpedoes, bombs, sky rockets, buzz bombs, atomic wings, aerial flash salutes, and trial blazers.

This Ordinance is to become effective the date of its passage.

If any section or clause of this ordinance is deemed invalid, the remaining portions of this ordinance are to remain in full force and effect.

PASSED AND APPROVED this 1st day of March, 1984.

JOHN D. PASSANO
MAYOR

ATTEST:

Susan Conaway
CITY SECRETARY

I, SUSAN CONAWAY, City Secretary of the Town of China Grove, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 840301, passed and approved by the Town Council of the Town of China Grove, at a Regular/Special meeting held on the 1st day of March, 1984.

In witness whereof, I hereto set my hand and affix the official seal of the Town of China Grove, Texas, this the 9th day of March, A.D., 1984.

Susan Conaway
CITY SECRETARY

ORDINANCE # 930628

AN ORDINANCE AMENDING ORDINANCE NUMBER 840301
PROHIBITING THE USE OF FIREWORKS AND FIREWORKS
DISPLAYS AND ADDING THE PROHIBITION
OF POSSESSION OF FIREWORKS

WHEREAS, the Town Council of China Grove adopted an ordinance on March 1, 1984 prohibiting the use of fireworks and fireworks displays, and;

WHEREAS, a public necessity exists that the possession of fireworks be prohibited within the Town of China Grove in order to protect the peace, quiet, order, health, safety, and environment of the people of China Grove;

NOW, THEREFORE, be it ordained by the Town Council of the Town of China Grove, Texas, that:

Ordinance 840301 be amended by adding the following:

It shall be unlawful for any person to possess any fireworks or pyrotechnics within the corporate limits of the Town of China Grove. The words "fireworks" and "pyrotechnics" shall be given their usual and customary meaning, except that the word "fireworks" shall not include auto flares, paper caps to be used in toy pistols, toy canes or other toy guns.

**This ordinance shall be in full force and effect immediately upon passage.

The City Secretary is directed to certify to the passage of this ordinance and to cause same to be published once in the Express-News, a daily newspaper of general circulation, printed, published and circulated in the City of San Antonio, Bexar County, Texas.

ADOPTED THIS THE 28TH DAY OF JUNE, 1993.

Mac Morris, Jr

MAC MORRIS, Jr.

Mayor

Attest:

Susan Conaway

City Secretary

**Violation of this ordinance by any person, corporation or other entity shall be guilty of a misdemeanor and shall be liable to the Town of China Grove by paying a fine of not more than \$100.00 a day for each separate offense.