ORDINANCE NO. 87-17

AN ORDINANCE TO PROHIBIT THE SELLING, EXPLODING AND USE WITHIN THE CITY OF ATKINS, ARKANSAS, OF FIREWORKS, COMMONLY KNOWN AS FIRECRACKERS, CANNON CRACKERS, ROMAN CANDLES, SKYROCKETS, TORPEDOES, OR OTHER EXPLOSIVES.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATKINS, ARKANSAS:

Section 1: Definition of Fireworks: Fireworks shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, daygo bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablets or other devices containing any explosive substance, except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

Section 2: Unlawful to Sell, Explode, or Use Fireworks, Exceptions: It shall be unlawful for any person, firm, corporation, partnership or organization to use, explode or sell directly to the public at large any fireworks as described herein within the city limits of Atkins, except as provided for in the following instances:

1. The Fire Chief shall adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by the city, fair associations, amusement parks, and other such organizations. Every such display shall be handled by a competent operator approved by the Fire Chief and shall be of such a character, and so located, discharged or fired

as in the opinion of the Fire Chief, after proper inspection, shall not be hazardous to property or endanger any person.

2. Fireworks may be sold within the city limits directly to the public at large only during the following times:

a. Between the hours of 8 o'clock a.m. and 8 o'clock p.m. on July 2nd, 3rd, and 4th of each year.

b. Between the hours of 8 o'clock a.m. and 8 o'clock p.m. on December 30th and 31st and January 1st of each year.

3. Fireworks may be used and exploded by the public at large only during the following times:

a. Between the hours of 8 o'clock a.m. and 10 o'clock p.m. July 2nd, 3rd and 4th of each year.

b. Between the hours of 8 o'clock a.m. and 10 o'clock p.m. December 30th and December 31st and January 1st of each year.

Section 3: Any person, firm, corporation, partnership or organization violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not less than $25.00 nor more than $100.00.

Section 4: This Ordinance being necessary for the public peace, health, and safety of the citizens of Atkins, an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

DATED this 10th day of November, 1987.

Stephen Kent
STEPHEN KENT, MAYOR

Brenda Graves
BRENDA GRAVES, CITY CLERK