

ORDINANCE NO. 511

AN ORDINANCE PROVIDING FOR THE CONTROL AND OPERATION OF FIREWORKS IN THE CITY OF EDNA, KANSAS: PROVIDING FOR THE SAFETY AND PROTECTION OF PERSONS AND PROPERTY: PROVIDING FOR THE PENALTIES AND VIOLATION OF THE SAME AND REPEALING ORDINANCE 268 OR ANY OTHER ORDINANCE IN CONFLICT.

SECTION 1: Fireworks Defined

For purposes of this article, the term "fireworks" shall mean those items as defined by the rules and regulations of the Kansas state fire marshal, and shall include but not be limited to: firecrackers, torpedoes, sparklers, Roman candles, sky rockets, pin wheels, cap or toy pistols (except such pistols or any like device designed to discharge paper caps containing not more than .25 grains of explosive mixture), canes, bombs, cannons or other like devices and all classes of fireworks that may be shot into the air or propelled over the ground by explosive discharges or any device using blank cartridges.

SECTION 2: Fireworks Prohibited

- A. Except as provided in Sections 3 and 4; it shall be unlawful for any person to keep, store, display for sale, fire, discharge or explode any fireworks.
- B. Nothing in this article shall be construed as applying to:
 - (1) Toy paper caps containing not more than .25 of a grain of explosive composition per cap.
 - (2) The military or naval forces of the United States or of this state while in the performance of official duty.
 - (3) The manufacture, storage, sale or authorized use of signals necessary for the safe operation of railroads or other classes of public or private transportation.
 - (4) Law enforcement officers while in the performance of official duty; or
 - (5) The sale or use of blank cartridges for ceremonial, theatrical or athletic events.

SECTION 3: Same: exceptions; sale of fireworks.

The sale and handling of fireworks shall be governed according to the regulations set forth by the State of Kansas and regulations promulgated by the State Fire Marshal.

SECTION 4: Same: exceptions; discharges.

- A. Section 3 of this article shall not apply to the firing or discharge of fireworks in the city between the hours of 10:00 a.m. and 10:00 p.m. on June 27th through July 5th of each year; said hours shall be extended to 12:00 midnight on July 4th

and New Year's Eve, December 31st of each year and, in the event that the city wide celebration of the 4th of July unless it falls on a date other than July 4th, fireworks may be fired or discharged until 12:00 midnight on said night.

- B. It shall be unlawful for any person, organizations or corporation to give any public display of fireworks unless such display or displays shall be of such a character and so located, discharged and fired as shall not be a fire hazard or endanger persons or surrounding property.

SECTION 5: Approved fireworks; bottle rockets prohibited.

All fireworks offered discharged within the city shall be of a type that has been tested and approved for sale. **Bottle rockets are prohibited.**

SECTION 6: Discharge on public property prohibited.

No discharge on public property (city park, city lake, etc.) except when specifically authorized by the city.

SECTION 7: Throwing prohibited.

It shall be unlawful for any person to throw, cast or propel fireworks of any kind in the direction of or into the path of any animal, person or group of people, or from the direction of or into any vehicle of any kind.

Section 8: Any person, **entitiy** or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined any sum not more than \$100.00 for each violation.

Passed and approved this 13th day of May 2021.

A handwritten signature in black ink, appearing to read "Sam Vail", written over a horizontal line.

Sam Vail, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Joyce Rosson", written over a horizontal line.

Joyce Rosson, City Clerk