

### **Article 3. Fireworks**

#### **6-301. Addition to fire prevention code.**

The provisions of this article shall be in addition to the fire code incorporated by section 4-301 of this code.

(Code 1973, 6-301; Code 2019)

#### **6-302. Fireworks prohibited; exceptions.**

Subject to the provisions of this article, except as provided in section 6-307, no fireworks may be exhibited, sold, offered for sale, given away, fired, set off, discharged or used within the corporate limits of the city except during the hours of 8:00 a.m. and 11:00 p.m., beginning on the 27th day of June and ending on the 5th day of July. The term "fireworks" shall include firecrackers, Roman candles, sky rockets, pin wheels, pistols (except cap pistol or any similar device designed to discharge paper caps containing not more than .25 grains of explosive mixture), canes, cannons or other appliances or devices using blank cartridges or any substance or articles of any explosive nature designed or intended to be used as fireworks.

(Ord. 2683, Sec. 1; Code 2007)

#### **6-303. Same; permitted hours**

It shall be unlawful for any person to sell, offer for sale, fire, set off, discharge or use fireworks within the corporate limits of the city, at any time between the hours of 11:00 p.m. and 8:00 a.m.

(Code 1973, 6-303)

#### **6-304. Discharged in fire limits.**

No person shall fire, set off, discharge or use fireworks within the fire limits of the city as established by section 4-101 of this code or on the premises of any established municipal or school playground or public park within the corporate limits of the city or at the Anthony Municipal Airport, and only in designated areas at Anthony Municipal Lake.

(Code 2007)

#### **6-305. Aerial fireworks**

No fireworks of an aerial nature shall be fired within 500 feet of any building, home, barn, storehouse, or stack of grain or feed. Fireworks shall not be stored, kept, sold or discharged within 50 feet of any gasoline pump, gasoline filling station, gasoline bulk station or any building in which gasoline or volatile liquids are sold except the same be kept in unbroken and unopened containers.

(Code 1973, 6-305)

#### **6-306. Unlawful discharge.**

It shall be unlawful for any person to throw or cause to be thrown, set off or discharge any fireworks as herein defined within 25 feet in the direction of any other person, animal or motor vehicle. It shall further be unlawful to discharge any fireworks from a motor vehicle whether moving or stationary.

(Code 1973, 6-306)

**6-307. Pyrotechnical displays.**

There shall be no pyrotechnical displays unless there is permission from the fire chief and the mayor. Fireworks to be used for exhibition purposes or fairs and celebrations may be sold and fired which are otherwise prohibited from sale to individuals, provided, the individuals in charge of the sale and discharge are experienced in the handling of fireworks and the public attending such exhibitions are kept at a safe distance. Fireworks held in storage for such exhibition must be kept in a closed wooden box until they are removed for firing.

(Code 1973, 6-307)

**6-308. Seizure, confiscation fireworks.**

The chief of the fire department is authorized to seize and confiscate all fireworks which may be kept, stored or used in violation of this article. The chief shall dispose of all such fireworks as may be directed by the governing body.

(Code 1973, 6-308)

**6-309. License.**

It shall be unlawful for any person, firm or corporation to exhibit, offer for sale or sell fireworks as herein defined within the corporate limits of the city until a license therefor shall have been obtained from the city clerk. No license issued hereunder shall be transferable and each such license shall be issued for a specific location. A license tax of \$10 for each calendar year, or fractional part thereof, is hereby levied upon each person, firm or corporation for each place within the corporate limits of the city where fireworks are exhibited, offered for sale, or sold.

(Code 1973, 6-309)