

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7821

ORDINANCE COUNCIL SERIES NO. 25-

COUNCIL SPONSOR: MR. STRICKLAND

PROVIDED BY: CIVIL DA/COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 6TH DAY OF MARCH, 2025

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART I – CODE OF ORDINANCES, CHAPTER 2 – OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE VIII – FIREWORKS, SEC. 28-282 – REGULATION OF FIREWORKS, TO AMEND SUBSECTION (C)(2) TO REMOVE COUNCIL DISTRICT 14 FROM THE PROHIBITION OF FIREWORKS SALES IN UNINCORPORATED WARD 8.

WHEREAS, the current ordinance regulating fireworks prohibits the sale of same in unincorporated Ward 8, less and except Parish Council District 7; and,

WHEREAS, having reviewed the impact of fireworks sales in the portions of Parish Council District 14 in Ward 8, and having determined that there are no known significant negative impacts, the removal of those portions of Parish Council District 14 in Ward 8 from the prohibition of fireworks sales is desired.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Part I – Code of Ordinances, Chapter 28 – Administration, Article XVII – Parish Fees, Sec. 2-771 – Definitions, to update the definition of the term “service area” and all other definitions remaining unchanged:

Sec. 28-282. Regulation of fireworks.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Fireworks means all incendiary, explosive devices and pyrotechnical explosive devices commonly referred to as fireworks or firecrackers.

Retailer means any person engaged in the business of making sales of fireworks at retail to persons other than a distributor or a jobber.

Sale means the sale, barter, exchange or gift or offer thereof, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee.

- (b) *Regulations.*

- (1) It shall be unlawful to sell any items of fireworks as a retailer without first obtaining a license to be issued by the director of parish development.
- (2) An applicant, to engage in the sale of fireworks as a retailer, must complete an application on a form provided by the parish, setting forth such facts and information as the parish may determine necessary and proper.
- (3) All applications shall be accompanied by a copy of the previous year's sales tax return or retail license. All licenses issued by the parish shall be transferable.
- (4) Effective May 1, 1992, there is established a moratorium on all fireworks stands and retail outlets in Parish Council District 5, Precinct 306, the area comprising the east and west side of Highway 190 north of I-12, specifically the service road in Parish Council District 5, Precinct 306, which leads to Walmart, Sears, the Cinema, Kings Forest and Helenberg areas. No application for licenses within Parish Council District 5, Precinct 306, for possession, sale, offering for sale and use of fireworks shall be received unless the applicant has been issued a permit on or before December 31, 1991.

- (c) *Prohibitions.*

- (1) The sale of fireworks within unincorporated areas of Ward 4 is prohibited. Unincorporated Ward 4 area encompasses that portion of the parish as described in section 2-37, less and except areas contained within the boundaries of any municipality or areas contained within the boundaries of Parish Council District 7.
- (2) The sale of fireworks within the unincorporated area of Ward 8, less and except the portion in Parish Council District 6 and Parish Council District 14, is hereby prohibited.
- (d) *Enforcement.* It shall be the duty of the parish sheriff to enforce the provisions of this section.
- REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3RD DAY OF APRIL, 2025; AND BECOMES ORDINANCE COUNCIL SERIES NO. 25-.

JOE IMPASTATO, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: FEBRUARY 26, 2025
Published Adoption: _____, 2025

Delivered to Parish President: _____, 2025 at _____
Returned to Council Clerk: _____, 2025 at _____