

**ORDINANCE NO. 2006-2-A**

**ADDENDUM ORDINANCE TO REGULATE FIREWORKS USAGE WITHIN THE CITY LIMITS OF PAYNE SPRINGS, TEXAS.**

**Whereas, The City of Payne Springs, Texas, (City) is a type A General Law Municipality under the laws of the State of Texas, and**

**Whereas, The City Council has now come forward to establish a more exacting definition of Ordinance 2006-3 by defining which persons are responsible for the igniting of fireworks within the City Limits of Payne Springs, and to specify which fireworks are included, and**

**Whereas, the City Council deems it necessary to establish guidelines for the sale and use of Fireworks within the confines of the City of Payne Springs city limits and,**

**Whereas, the definition of a Firework is a device designed to produce a display of light, noise, and smoke by the burning of explosive or flammable materials**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS**

- Section 1. The governing body of the City of Payne Springs Texas hereby establishes a safety zone radius of 300 feet from any business selling or distributing fireworks within the city limits of Payne Springs, Texas.**
- Section 2. If a business selling or distributing fireworks is adjacent to, but not within the city limits of Payne Springs Texas, that portion of the 300 foot safety zone that is inside the city limits will be included in this ordinance.**
- Section 3. All firework establishments, within the city limits of Payne Springs are required to purchase a yearly business permit from the City of Payne Springs, Texas. The business permit will be current from January 1, through December 31. Fees charged will be in accordance with Ordinance 2006-3 of the City of Payne Springs, Texas.**
- Section 4. Discharging of fireworks will be allowed for use from July 1 through July 4 and December 29 through January 1 of each year and will not be allowed to be discharged after 11:00 pm in accordance with the City Code of Ordinances, except for December 31 which fireworks are allowed to be discharged until 1:00 am on New Year's Eve night going into the new year on January 1.**
- Section 5. Discharging of fireworks is hereby banned from use along all roadways existing within the city limits of Payne Springs, Texas.**
- Section 6. Discharging of fireworks cannot be discharged within 300 feet of any fireworks stand or business.**
- Section 7. Any fireworks show or display initiated by a business must have in attendance, the fire department and Police Department during such display for the safety of the citizens and businesses of Payne Springs.**

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**Section 9. Residents, Property Owners, or Business Owners may only use Fireworks during the times and dates specified in this Ordinance and must adhere to all sections of said Ordinance 2006-2 and Ordinance 2006-2-A.**

**Section 10. Any Resident, Property Owner or Business owner has the sole responsibility to ensure that this ordinance is followed according to the law as it is stated.**

**Section 11. The police department of the City of Payne Springs, Texas will have the power to enforce this ordinance. Failure to comply with this ordinance will result in a fine not to exceed \$500.00 for each offense.**

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

**APPROVED**

\_\_\_\_\_  
**ETHEL HAGIN, MAYOR**

**SEAL**

**ATTEST**

\_\_\_\_\_  
**LINDA CARR, CITY SECRETARY**