

ORDINANCE NO. 2009-6-30-1

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

Whereas, The City Council deems it necessary to establish a safety zone around businesses that sell or distribute fireworks, and

Whereas, the City Council being responsible for the safety of the citizens of Payne Springs prohibits the discharge of any type fireworks with that safety zone.

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 100 feet from any business selling or distributing fireworks with the city limits of Payne Springs, Texas. This limit is consistent with the Safety Radius established by the State of Texas.

Section 2. If a business selling or distributing fireworks is adjacent to, but not with the city limits of Payne Springs Texas, that portion of the 100 foot safety zone that is within 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. Business Permit Fees charged will be in accordance with Ordinance 12 of the City of Payne Springs, Texas.

Section 4. Discharging of fireworks will be allowed for use from June 24th (first legal day of sale) through July 5 and December 20th (first legal day of sale) through January 2nd of each year. Legal hours for the discharge of fireworks will be as set forth in the following table:

Legal Dates for Discharge of Fireworks	Legal Times for Discharge of Fireworks
July 1 st through July 5 th	10am through 12midnight
July 5 th	12:01am through 2am
December 24 th through January 2 nd	10am through 12midnight
January 1 st	12:01am through 2am

Section 5. Discharging of fireworks is hereby banned from use along all roadways existing with the city limits of Payne Springs, Texas.

Section 6. Discharging of fireworks cannot be within 100 feet of any Fireworks Stand or Business within the City limits of Payne Springs, Texas which concurs with the State of Texas limits.

Section 7. Any fireworks show or 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.

Section 8. The police department of the City of Payne Springs, Texas will enforce this ordinance. Failure to comply with this ordinance will result in a fine not to exceed \$500.00 for each offense.

Section 9. This Ordinance repeals any prior Ordinance(s) that have set forth limits on the discharge of fireworks within the City of Payne Springs.

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PASSED AND APPROVED THIS ____ DAY OF _____, 2009.

Rodney Renberg, Mayor Pro Tem

SEAL

Shirley Leonard, City Secretary