

ORDINANCE NO. 1480

**AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE
TO REGULATE THE DISCHARGE OF I.C.C.
CLASS C COMMON FIREWORKS INSIDE THE
CORPORATE LIMITS OF THE CITY OF HOPE,
ARKANSAS"**

WHEREAS, the applicable Arkansas law allows municipalities to regulate or prohibit the sale or use of fireworks; and,

WHEREAS, the Board of Directors of the City of Hope, Arkansas has determined that it would be in the best interest of the City of Hope, Arkansas to regulate the sale and use of Class C common fireworks inside the corporate limits of the City of Hope, Arkansas.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

Section 1: Class C common fireworks may only be discharged within the corporate limits of the City of Hope, Arkansas each year on the following days and only during the time specified:

(a) Fourth of July Holiday: July 1 from noon until 10:00 P. M.; July 2 from noon until 10:00 P. M.; July 3 from noon until 10:00 P. M.; July 4 from noon until 12:30 A. M.; and, July 5 from noon until 10:00 P. M.

(b) Christmas Holiday: December 22 from noon until 10:00 P. M.; December 23 from noon until 10:00 P. M.; December 24 from noon until 10:00 P. M.; December 25 from noon until 10:00 P. M.; and, December 26 from noon until 1.0:00 P. M.

(c) New Year's Holiday: December 29 from noon until 10:00 P. M.; December 30 from noon until 10:00 P. M.; December 31 from noon until 12: 30 A. M. ; January 1 from noon until 10 : 00 P. M. and January 2 from noon until 10:00 P. M.

Section 2: At no time may stick rockets or missiles of any kind be discharged within the corporate limits of the City of Hope, Arkansas.

Section 3: At no time may any Class C common fireworks be discharged within the corporate limits of the City of Hope, Arkansas when a burn ban has been imposed by the Chief of the City of Hope Fire Department.

Section 4: There must be supervision by a person 18 years of age or older when a child less than twelve (12) years of age is discharging approved Class C common fireworks.

Section 5: Approved Class C common fireworks may be discharged only upon property owned by the person discharging the fireworks or upon property that the person discharging the fireworks can show written permission from the owner of the property allowing discharge of fireworks on that property, or upon property when the owner is present at the time the fireworks are being discharged.

Section 6: At no time may approved Class C common fireworks be discharged on public property, public streets, or public alleys by anyone.

Section 7: Any persons violating the provisions of Sections 1 through 6 of this ordinance, shall have all fireworks confiscated by the Hope Police Department with all confiscated fireworks being destroyed at the direction of the Chief of the City of Hope Fire Department.

Section 8: All persons discharging Class C common fireworks inside the corporate limits of the City of Hope, Arkansas are required to clean up all debris and litter left after the fireworks are discharged.

Section 9: All approved sellers of Class C common fireworks are required to post in a conspicuous place at the point of sale all state and local rules, including the prohibitions and limitations contained in this ordinance concerning the purchase and discharge of fireworks inside the corporate limits of the City of Hope, Arkansas.

Section 10: This ordinance is not intended to regulate public displays of Class B fireworks that are regulated by Arkansas law under the supervision of the Arkansas State Police.

Section 11: All prior ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 12: It being determined by the Board of Directors of the City of Hope, Arkansas that this ordinance is necessary for the public peace, health, and safety, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this 15th day of August, 2006.