

ORDINANCE NO. 18- 46

AN ORDINANCE AMENDING A PORTION OF CHAPTER 34 OF THE CODE OF ORDINANCES, CITY OF ROGERS REGARDING SALE AND USE OF FIREWORKS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: Chapter 34, Section 34-5, subsection (b) of the Code of Ordinances, City of Rogers, Arkansas, is amended to read as shown in the attached Exhibit "A";

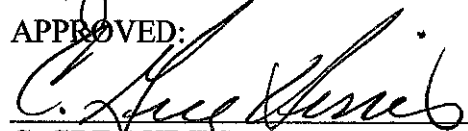
Section 2: Chapter 34, Section 34-5, subsection (e) of the Code of Ordinances, City of Rogers, Arkansas, is amended to read as shown in the attached Exhibit "B";

Section 3 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein; and

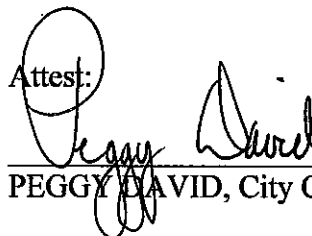
Section 4 - Repeal of Conflicting Ordinances and Resolutions: All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this 14th day of August, 2018.

APPROVED:


C, GREG HINES,
Mayor

Attest:


PEGGY DAVID, City Clerk



Requested by: Clay Kendall, City Council

Prepared by: Jennifer Waymack, Senior Staff Attorney

EXHIBIT "A"

- (b) On the dates of July 2 through July 4 of each year, between the hours of 11:00 a.m. and 11:00 p.m., the use of fireworks shall be permitted, with the exception of any aerial fireworks device attached to a stick commonly referred to as a "bottle rocket," or any other similar device, regardless of its name.

EXHIBIT "B"

- (e) The mayor or the fire chief may permit the use of fireworks on dates other than July 2 through July 4 for special or extraordinary events sponsored by governmental, educational, religious, civic, benevolent, or charitable organizations after all provisions of NFPA 1123 have been met and a special permit has been obtained from the Risk Reduction Division of the Rogers Fire Department. If any such permits are issued, the displays must be supervised by a competent operator, who has been approved by the fire chief, and shall be of such a nature and must be located, discharged or fired so as not to be hazardous to property or endanger any person. No such display shall be allowed except between the hours of 11:00 a.m. and 11:00 p.m.