

CITY OF GLASGOW

ORDINANCE NO. 2017-2905

**AN ORDINANCE AMENDING ORDINANCE NO. 2846, AN
ORDINANCE AMENDING ORDINANCE NO. 2745, THE CITY'S
FIREWORKS ORDINANCE**

(Sponsored by the Public Safety Committee)

THAT, WHEREAS, on April 28, 2014, the City of Glasgow adopted, on second reading, Ordinance No. 2846, which amended Ordinance No. 2745, the City's Fireworks Ordinance by appending a new section; and

WHEREAS, the City's Public Safety Committee proposes additional amendments to the Fireworks Ordinance which it believes will benefit the citizens of this municipality;

NOW, THEREFORE, in light of the foregoing recitals, **BE IT HEREBY ORDAINED BY THE CITY OF GLASGOW** that Ordinance No. 2846 shall be, and hereby is, amended to read as follows (any words being added are indicated by a single solid line drawn underneath them, and any words being deleted are indicated by a single line drawn through them):

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Whereas the sale of fireworks is defined and regulated by the Commonwealth of Kentucky by the enactment of KRS 227 et. seq. and corresponding administrative regulations, and;

Whereas the regulation of fireworks sales has been expanded by the Commonwealth of Kentucky to allow three distinct forms of registration, and;

Whereas pursuant to the authority of KRS 227 et. seq. the City of Glasgow, Kentucky shall be responsible for the enforcement of the laws of the Commonwealth of Kentucky regulating fireworks sales in the limits of the City;

THEREFORE BE IT ORDAINED BY THE CITY OF GLASGOW as follows:

SECTION ONE: All provisions of the laws of the COMMONWEALTH OF KENTUCKY regulating the sale and use of fireworks shall continue in full force and effect except as modified by the GLASGOW CITY CODE OF ORDINANCES;

SECTION TWO: That section of the GLASGOW CITY CODE known as the BUSINESS

LICENSE FEE, section 110.101, shall be amended to add a new section known as "FIREWORKS SALES LICENSE." Fireworks sales licenses shall be of three types:

A. Types of Licenses:

1. Limited Sales- sale of fireworks as described in KRS 227.702 (1) and for which the applicant has obtained a Limited Sales fireworks registration certificate from the Commonwealth of Kentucky;
2. Seasonal Sales- sale of fireworks described in KRS 227.702 (1) (2) and /or (3) during the following time frames: June 10th through July 7th December 26th through January 4th and for which the applicant has obtained a Seasonal Sales fireworks registration certificate from the Commonwealth of Kentucky;
3. Primary Permanent - year round sale of fireworks described in KRS 227.702 (1) (2) and/or (3) where fireworks are the primary source of business and for which the applicant has obtained a Primary Permanent fireworks registration certificate from the Commonwealth of Kentucky.

B. The Cost of a City of Glasgow Fireworks Sales License shall be as follows:

1. Limited Sales - \$25.00
2. Seasonal Sales- \$100.00
3. Primary Permanent - \$250.00

C. Nothing herein shall exclude a fireworks license holder, not otherwise exempt, from the general business license fee provisions of Chapter 110.

SECTION THREE: That consumer fireworks shall not be used, ignited, fired, or exploded in the city limits of the City of Glasgow, Kentucky, except as follows:

- A. That consumer fireworks may only be used between the hours of noon and 10:00 p.m. on June ~~25th~~ 28th through July 3rd and on July 5th ~~through July 7th~~, between the hours of noon and 11:00 p.m. on July 4th of any year, and between the hours of 11:30 p.m. and 12:30 a.m. on New Year's Eve/Day.
- B. Any person wishing to use, ignite, fire or explode those fireworks authorized by KRS Chapter 227 and this Subchapter in the City on any other days shall obtain a permit from the City Fire Chief or their designee with the issuance of the permit conditioned on the applicant complying with all applicable state and local laws, rules and regulations.
- C. The permit application shall be filed no less than fifteen days prior to the

proposed use of the fireworks and shall be on a form provided by the City. The permit, if granted, shall be valid for a four (4) hour period on the permitted date between the hours of noon and 10:00 p.m.

- D. One must be at least 200 feet away from any structure, vehicle or any other person in order to ignite or light a firework. KRS 227.715(11)(b).

SECTION FOUR:

- A. A first offense for a violation of this ordinance shall constitute a civil offense and shall be subject to a civil fine of not more than \$50.00 pursuant to KRS.65.8801;
- B. A second offense for a violation of this ordinance shall constitute a civil offense and shall be subject to a civil fine of not more than \$100.00 pursuant to KRS.65.8801;
- C. A third offense for a violation of this ordinance shall constitute a civil offense and shall be subject to a fine of not more \$200.00 pursuant to KRS.65.8801;
- D. A fourth or subsequent violation of this ordinance shall be a misdemeanor and shall be subject to a criminal fine of not more \$500.00 and sentence of up to ten days in jail or both.
- E. Nothing herein shall prevent an enforcement officer, in his or her discretion, from issuing a warning in lieu of citation for a first offense.

SECTION FIVE: This Ordinance shall take effect upon its passage and publication according to law.



DICK DOTY, MAYOR

ATTEST:



JAMIE MCFARLIN, CITY CLERK

FIRST READING: 10-09-17

SECOND READING: 10-23-17