

SUMMARY OF ORDINANCE NO. 21-02

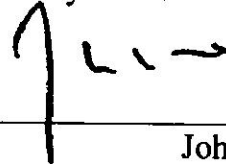
**AN ORDINANCE PROVIDING FOR THE SALE
AND USE OF FIREWORKS IN THE CITY OF CAMPBELLSVILLE**

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An ordinance providing for the sale and use of fireworks in the City of Campbellsville. A complete copy of the Ordinance is on file with the City Clerk at City Hall, 110 S. Columbia Avenue, Suite B, Campbellsville, Kentucky 42718.

This Ordinance was introduced and given a first reading at a regular meeting of the City Council held on the 19th day of April, 2021. It received its second reading, passage and become effective at a regular meeting of the City Council held on the 17th day of May, 2021.

The foregoing summary was prepared by **BERTRAM, COX & MILLER, LLP, Attorneys at Law**, 321 E. Main Street, P.O. Box 1155, Campbellsville, Kentucky 42719.



John C. Miller

AN ORDINANCE PROVIDING FOR THE SALE
AND USE OF FIREWORKS IN THE CITY OF CAMPBELLSVILLE

WHEREAS, the sale of fireworks is defined and regulated by the Commonwealth of Kentucky by the enactment of KRS 227.700 to KRS 227.750 corresponding administrative regulations, and;

WHEREAS, the City's Public Safety Committee proposes an ordinance providing for the sale and use of fireworks in the City of Campbellsville;

WHEREAS, pursuant to the authority of KRS 227.750 the City of Campbellsville, Kentucky shall be responsible for the enforcement of laws of the Commonwealth of Kentucky regulating the fireworks sales and use in the limits of the City;

WHEREAS, the City Council of the City of Campbellsville, believes it is desirable to require sellers of fireworks to register with the City and obtain a permit and it further believes that it is in the best interest of the citizens to the City of Campbellsville to restrict the dates and hours in which fireworks can be utilized.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMPBELLSVILLE, KENTUCKY AS FOLLOWS:

1. Sale of Fireworks

- a. **Necessity of Permit.** Any person, association or entity who sells fireworks in the City of Campbellsville shall apply for and obtain from the City of Campbellsville Fire Chief or their designee, a Fireworks Sales Permit. The applications for a Fireworks Sales Permit shall be made available and provided upon request.
- b. **Permit Requirements.** Prior to the City of Campbellsville Fire Chief or designee issuing any Fireworks Sales Permit pursuant to this section, the applicant shall:
 - i. Provide proof that the applicant has registered with the City of Campbellsville and Taylor County and made appropriate arrangements to pay any applicable payroll and/or net profits taxes; and
 - ii. Provide proof that the applicant is in compliance with all other Federal, State and Local laws, including but not limited to compliance with all building, zoning and insurance requirements and compliance with all fire marshal and local fire department requirements.
 - iii. The Campbellsville Fire Chief is directed to adopt and implement a permit and internal policy for sale of fireworks which are encompassed by this section

c. **Types of Permits**

- i. **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;
- ii. **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;
- iii. **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.

d. **Cost of City of Campbellsville Fireworks Sales Permits shall be as follows:**

- i. Limited Sales - \$25.00
- ii. Seasonal Sales - \$100.00
- iii. Primary Sales - \$250.00

2. **Use of Fireworks**

- a. Consumer fireworks shall not be used, ignited, fired, or exploded in the city limits of the City of Campbellsville, Kentucky, except as follows:
 - i. December 31 from 10:00 a.m. until January 1 at 12:30 a.m.
 - ii. July 4 from 10:00 a.m. until 12:30 a.m.
 - iii. July 3 and July 5 from 10:00 a.m. to 11:00 p.m.
 - iv. Any person wishing to use, ignite, fire or explode those fireworks authorized by KRS Chapter 227 and this Subchapter in the City of Campbellsville 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. Permits shall be on site of the fireworks display and subject to inspection by the Campbellsville Fire Department and Campbellsville Police Department.
 - v. The permit application shall be filed no less than fifteen days prior to the propose use of fireworks and shall be on a form provided by the Campbellsville Fire Department. 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.
 - vi. The Campbellsville Fire Chief is directed to adopt and implement a permit and internal policy for the use/display of fireworks which are encompassed by this section.

- b. Fireworks shall not be utilized on public property, including public roadways, unless exempted by conditions noted in a city permit.
- c. Fireworks shall not be utilized on property of another without the consent of the owner and/or occupant.
- d. Fireworks shall not be utilized from a vehicle.
- e. Persons utilizing fireworks, as defined in KRS 227.702(2) and (3), shall be at least eighteen (18) years of age.
- f. Fireworks, as defined in KRS 227.702 (2) and (3) shall be utilized at least two hundred (200) feet from any home, structure, vehicle or any other person.
- g. Fireworks shall not be utilized at any time the Campbellsville Fire Chief determines that such utilization would not be safe and in the event he orders that the use of fireworks cease.
- h. In the event a person violates this section, the Campbellsville Police Department shall have the power to enforce the ordinance.
 - i. A first violation shall result in a \$25.00 fine.
 - ii. A second violation shall result in a \$100.00 fine.
 - iii. A third and subsequent violation shall result in a \$250.00 fine.
 - iv. Nothing herein shall prevent an officer, in his or her discretion, from issuing a warning in lieu of citation for a first offense.

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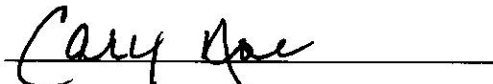
This Ordinance is sponsored by Council Person Sharon Hoskins-Sanders, Council Person Donnie Munford, and Council Person Diane Ford-Benningfield.

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ATTEST:



Brenda Allen, Mayor


Cary Noe, City Clerk