

ORDINANCE NO. 20-023

AN ORDINANCE AMENDING CHAPTER 38, ARTICLE II, SECTION 38-31 OF THE CODE OF ORDINANCES OF THE CITY OF GILMER, TEXAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GILMER: That Chapter 38, Article II, Section 38-31 be amended as to read as follows:

DISCHARGE OF FIREWORKS PROHIBITED.

It shall be unlawful for any person to light or in any way discharge or explode any firecracker, Roman candle, torpedo, sky rockets or any other explosive within the city limits.

It shall be an affirmative defense to this section that the possession, sale, or use was for supervised public displays of fireworks by the municipality, fair associations, amusement parks and other organizations or groups of individuals, provided that a permit for such fireworks display has theretofore been obtained from the Fire Marshall.

The Fire Marshal shall have the power to adopt reasonable rules and regulations for the granting of such permits to include but not be limited to the following:

a. Applications for permits shall be made in writing at least fifteen (15) days in advance of the date of the display. After such privilege shall have been granted, sale, possession, use, and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

b. The permittee shall furnish proof of a liability insurance policy in coverage amounts of \$1,000,000 per person including bodily injury, \$5,000,000 per incident including bodily injury in the aggregate, and \$1,000,000 property damage in the aggregate conditioned for the payment of damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, his agents, employees or subcontractors.

c. The person who assembles, conducts and supervises the use of pyrotechnic devices must possess the requisite pyrotechnic operator's license and insurance as specified in paragraph b.

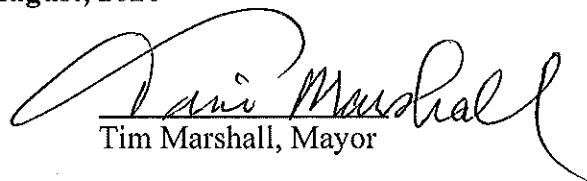
(Ord. No. 1972-0001 § 1, 1-13-1972)

PASSED AND APPROVED this the 25th day of August, 2020

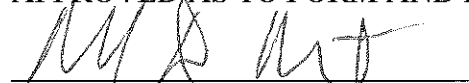


ATTEST:


Pamela B. Pyeatt, Asst. City Secretary


Tim Marshall, Mayor

APPROVED AS TO FORM AND EFFECT:


Michael D. Martin, City Attorney