

STATE OF GEORGIA
CITY OF PINE LAKE

ORDINANCE NO. 01-2019

AN ORDINANCE OF THE CITY OF PINE LAKE TO REGULATE THE USE OF FIREWORKS IN THE CITY PARK; TO PROVIDE FOR SPECIAL USE PERMITS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

The Council of the City of Pine Lake hereby ordains:

Section 1. The City of Pine Lake asserts the authority delegated to the City by O.C.G.A., section 25-10-2 (d) for the purpose of allowing, under limited circumstances, the use of fireworks within the city park. The provisions of this ordinance are mandatory and apply to all use of fireworks within the City Park.

Section 2. The use of consumer fireworks, as defined by state law, shall be lawful in the city park between the hours of 9:00 p.m. and 10:00 p.m. on July 4, provided the person igniting such fireworks has first obtained a special use permit as provided by O.C.G.A., section 25-10-2 (d).

Section 3. Application for special use permit to discharge fireworks in the city park shall be made in person at city hall for each date such discharge is allowed pursuant to section 2 of this ordinance. Incorporated entities wishing to discharge consumer fireworks in the city park may make application in their corporate name, provided they designate a responsible adult at least 18 years of age who will be responsible for the transportation to the park and ignition of the fireworks covered by the permit. All applicants and designated dischargers shall be responsible adults at least 18 years of age. All applicants and designated dischargers shall produce, at the time of application, photo identification as required by O.C.G.A., section 25-10-2. The fee for permits shall be \$15.00 and paid at the time of application. Upon submission of an application and payment of the permit fee, the applicant shall be issued a receipt, which shall be taken to and produced at the police department to secure the permit. A maximum of 10 permits shall be issued for each date, on a first come, first served basis. No application shall cover more than one date and/or one applicant.

Section 4. State law prohibits any person under the influence of alcoholic beverages or drugs from discharging fireworks. The police department shall enforce this provision throughout the city, including those fireworks discharged in the city park.

Section 5. Fireworks shall be discharged in the city park only from those areas roped off for such discharge during allowable days and hours of discharge as indicated by section 2. Police officers shall monitor the entrance to the discharge area. Only persons holding a discharge permit and one assistant shall be permitted within the discharge area upon presentation of their permit and photo identification. All persons within the discharge area shall cooperate with one another to ensure all permit holders have an equal opportunity to discharge the fireworks covered

by their permits. Fireworks discharged at the city park shall be pointed toward the lake and away from all persons.

Section 6. Persons discharging fireworks in the city park shall be responsible for picking up all trash and debris associated with their activities and disposing of same in a safe, appropriate manner after all fireworks have been discharged.

Section 7. Permit holders remain legally responsible for fireworks discharged by them and shall, as a condition of permit issuance, indemnify the City, its officers and employees from injury or property damage resulting from their discharges.

Section 8. No fireworks shall be discharged in the city park except as allowed by this ordinance. No fireworks shall be discharged on the public streets or sidewalks or other public property at any time.

Section 9. The permit issued for fireworks discharge may be revoked on site by law enforcement officers for any violation of this ordinance or location restrictions established by the City, as well as failure to follow law enforcement directives. Any person violating the terms of this ordinance may be cited for such violation, and upon conviction, shall be punished as for ordinance violations under the city's charter; provided that persons discharging fireworks at any location in the city, including the city park, while under the influence of alcoholic beverages or drugs shall be cited under state law and bound over to state court.

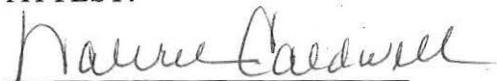
Section 10. All ordinances or parts of ordinances in conflict with this ordinance, are, to the extent of such conflict, hereby repealed.

So Ordained this 25th day of JUNE, 2019.

CITY OF PINE LAKE


Mayor

ATTEST:


City Clerk