

ORDINANCE

[To Amend City of Prattville Code of Ordinances, Chapter 26-Fire Prevention and Protection, Article II-Fire Prevention Code, Division 5-Fire Precautions, Section 126-165. Sale, Purchase, Possession, and Explosion of Fireworks and Pyrotechnics.]

BE IT ORDAINED by the City Council of the City of Prattville that City of Prattville Code of Ordinances, Chapter 26-Fire Prevention and Protection, Article II-Fire Prevention Code, Division 5-Fire Precautions, Section 126-165. Sale, Purchase, Possession, and Explosion of Fireworks and Pyrotechnics is hereby amended to read as follows:

Sec. 26-165. - Sale, purchase, possession, and explosion of fireworks and pyrotechnics.

- (a) *Definition.* When used in this division, the term "fireworks" or "pyrotechnics" means and includes one or more of the following:
- (1) Sparklers;
 - (2) Squibs;
 - (3) Rockets;
 - (4) Firecrackers;
 - (5) Roman candles;
 - (6) Fire balloons;
 - (7) Signal lights;
 - (8) Torpedoes;
 - (9) Torpedo caps;
 - (10) Railroad and track torpedoes;
 - (11) Flashlight compositions;
 - (12) Firecrackers of all kinds; or
 - (13) Other devices or compositions which are used to obtain visible or audible pyrotechnic displays.
- (b) *Possession.* It shall be unlawful for any person to have in possession, keep, store, use, manufacture, sell, offer for sale, give away, or handle any pyrotechnics within the corporate limits of the city; provided, however, nothing in this section shall be held to apply to articles manufactured for use as signaling devices and used as such in the operation of railroads, boats, or airplanes, or other required emergency purposes; and provided further, nothing in this section shall be held to apply to a normal supply of flashlight compositions in the hands of photographers or dealers in photographic supplies. Exceptions: This section shall be forever waived for the purpose of the annual Independence Day celebration sponsored by the city.

State Law reference— Fireworks, Code of Ala. 1975, § 8-17-210 et seq.; fireworks dealer's license, Code of Ala. 1975, § 40-12-102.

This ordinance shall become effective upon its passage and execution as provided by law.

Each of the provisions of this ordinance are severable; and if any provision shall be declared

to be invalid, the remaining provisions shall not be affected but shall remain in full force.

All ordinances, or parts of ordinances, in any manner conflicting here with are hereby repealed.

ADOPTED THIS 2ND DAY OF JUNE, 2020.

By: Albert Striplin, President
Prattville City Council

AUTHENTICATED THIS 2ND DAY OF JUNE, 2020.

By: Cathy Dickerson
City Clerk

APPROVED:

By: Bill Gillespie, Jr.
Mayor

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