

ORDINANCE #92-3

AMENDED FIREWORKS ORDINANCE-CUMBY, TEXAS-DECEMBER 7, 1948

AN ORDINANCE PROHIBITING THE SALE AND DISCHARGE OF FIREWORKS, TORPEDOES, ROCKETS, ETC., WITHIN THE CITY OF CUMBY, TEXAS, REPEALING ALL ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the City Council of The City of Cumby, Texas:

Section 1. No person, firm, company, corporation, or association shall cast, throw, or fire any squib, rocket, cracker, torpedo, grenade, gun, revolver, pistol, cap or cartridge, or other combustible fireworks of any kind in the City of Cumby.

Section 2. No person, firm, company, corporation, or association shall exhibit or have in the possession, with intent to give away or sell or offer for sale or sell, within the City of Cumby, any squib, rocket, cracker, torpedo, grenade, gun, revolver, pistol, cap or cartridge, or other combustible fireworks of any kind in the City of Cumby, provided however, that this section shall not apply to the sale of any such article or articles by wholesalers to each other or to the sale of any such article or articles at wholesale to merchants conducting business entirely without the City of Cumby, or to the sale by wholesalers for private or public demonstration as hereinafter provided.

Section 3. Nothing in this ordinance shall be constructed to apply to the sale, storage, or use of railroad tract torpedoes, or other signalling devices used by railroads, not the sale, storage or use of flashlight composition by photographers or dealers in photographic supplies or prevent any public or private demonstration or display of fireworks of any kind if conducted under proper police supervision after application made and permit issued by the Chief of the Fire Department of the City of Cumby, for such demonstration. Said permit shall not be granted unless such demonstration or display shall be of such a character, and so located, discharged or fired, as in the opinion of the said Chief of the Fire Department after proper inspection, shall not be hazardous to property or endanger any person or persons.

Section 4. Any person, firm, corporation, company or association who shall violate any of the provisions of this ordinance, or suffer or allow the same to be violated, shall upon conviction therefore be subject to a fine of not more than Five Hundred Dollars (\$500.00)

Section 5. Every day's maintenance of any of the conditions prohibited in any of the foregoing sections shall be a distinct and separate offense.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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Section 7. In view of the fact that this ordinance is necessary for the immediate protection and preservation of the public health, safety, and general welfare, it becomes necessary that this ordinance shall be in full force and effect immediately from and after its passage and it is accordingly so ordained.

AMENDED IN COUNCIL ASSEMBLY THIS 7TH DAY OF JULY, 1992.


MAYOR

ATTEST:


CITY SECRETARY