

ORDINANCE NO. 1553

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 3, FIREWORKS, OF THE CODE OF THE CITY OF COLBY, KANSAS, AMENDING SECTION 7-303, AN EXCEPTION WHICH ALLOWS THE DISCHARGE OF FIREWORKS IN THE CITY OF COLBY, BY ADDING SECTION 7-304, AN EXCEPTION AUTHORIZING THE SALE OF FIREWORKS IN THE CITY OF COLBY, AND SECTION 7-305, REQUIRING A PERMIT AND OTHER INSPECTIONS FOR THE SALE OF FIREWORKS IN THE CITY OF COLBY, AND RENUMBERING ALL OTHER AND SUBSEQUENT SECTIONS OF THE ORDINANCE ACCORDINGLY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS:

SECTION 1: Chapter VII, Article 3, Fireworks, Section 7-303(a) is hereby amended as follows:

7-303. SAME: EXCEPTIONS; DISCHARGES.

(a) Section 7-302 of this article shall not apply to the fire or discharge of fireworks in the city between the hours of 8:00 a.m. and 11:00 p.m. on June 27 through July 5.

SECTION 2: Chapter VII, Article 3, Fireworks, Sections commencing with Section 7-304, Permit for Public Fireworks Display Required, through and including Section 7-314, Costs, shall be renumbered as Sections 7-306, Permit for Public Fireworks Display Required, through and including Section 7-316, Costs.

SECTION 3: Chapter VII, Article 3, Fireworks, is hereby amended by adding the following code sections:

7-304. SAME: EXCEPTION; SALE OF FIREWORKS. Any person who has first obtained a valid permit to sell fireworks within the city may do so between the hours of 8:00 a.m. and 11:00 p.m. commencing June 27 and through July 5 of each year.

7-305. PERMIT FOR SALE OF FIREWORKS REQUIRED; FEE; ISSUANCE.

(a) It shall be unlawful for any person to sell, display for sale, offer to sell, or give away any type of fireworks within the city without first paying a fee of \$150.00 per establishment or premises to the city clerk and applying for and securing a permit therefor on or before June 25th of the permit year.

(b) No permit shall be issued for any location that is not within those areas zoned as C-2, Neighborhood Commercial District or I-1, Light Industrial District. Fireworks shall not be sold in or from any structure, temporary or permanent, which is not devoted exclusively to the sale of fireworks. Prior to the issuance of the permit, an inspection will be made of the

applicant's facility for compliance with this chapter and other pertinent laws, and no permit shall be issued for any premises not in compliance with such laws. Upon qualifying for the permit, the permittee shall prominently display the same at the establishment or premises where fireworks are to be sold or displayed for sale. The permit fee shall not be refundable upon failure to qualify for the permit or withdrawal or cancellation of the application or permit.

SECTION 4: The City Manager of Colby, Kansas, or his designee, is hereby authorized and directed to re-codify Chapter VII, Article 3, Fireworks, in order that it accurately documents this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect from and after its publication in the Colby Free Press as provided by law.

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR this 16th day of June, 2015.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

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