

ORDINANCE NO. 1508

**AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 3, FIREWORKS, OF
THE ORDINANCE CODE OF THE CITY OF COLBY, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, COUNTY
OF THOMAS, STATE OF KANSAS:**

SECTION 1: The following section is hereby repealed:

7-310 PENALTY. Any person convicted of violating any provision of this Article shall be fined an amount of not less than \$50.00.

SECTION 2: Article 3, Chapter VII of the ordinance of the City of Colby, Kansas is hereby amended by adding the following sections.

7-310 HIGH-FIRE DANGER. At such time as the Mayor, City Manager or Fire Chief determines that a high fire danger exists, the Mayor, City Manager or Fire Chief, shall declare the existence of a high-fire danger. The City Clerk shall distribute the Declaration of high fire-danger to all City employees and shall cause the Declaration to be posted at City Hall and published on local access channels.

7-311 HIGH-FIRE DANGER, BAN ON DISCHARGE OF FIREWORKS. Discharging fireworks, supervising the discharge of fireworks or participating in the discharge of fireworks during a declared period of high-fire danger is prohibited.

7-312 DUTY TO INQUIRE. It shall be the duty of each person, prior to discharging, supervising or participating in the discharge of fireworks, to determine whether a period of high-fire danger has been declared.

7-313 PENALTY. Any violation of this Article shall be, upon conviction, punishable by a fine not to exceed \$500.00 and/or confinement in the County Jail for a definite term not to exceed thirty (30) days. Any law enforcement officer with jurisdiction in the City limits may seize fireworks prohibited by this Ordinance.

7-314 COSTS. In addition to any other penalty imposed pursuant to this Article, the Court may assess against any person convicted of violating this Article restitution for damages incurred by any victim and all costs incurred by the Municipality for responding to a report of fire and/or extinguishing fire.

SECTION 3: This Ordinance shall take effect and be in full force from and after its passage and publication in the official city newspaper.

PASSED BY THE GOVERNING BODY AND SIGNED BY THE MAYOR, this 28th day of June, 2012.

Gary Adrian, Mayor

ATTEST:

Joni Ketchum, City Clerk