

## ORDINANCE NO. 330

AN ORDINANCE ALLOWING THE SALE, DELIVERY, OR GIVING AWAY OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROLLA, KANSAS, FROM JULY 1 TO JULY 4 OF EACH YEAR; ALLOWING THE DISCHARGING, FIRING, OR IGNITING OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROLLA, KANSAS, FROM JULY 1 TO JULY 5 OF EACH YEAR DURING SPECIFIED TIME; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

**WHEREAS**, the Governing Body of the City of Rolla, Kansas, finds it advisable to amend specified sections of Article 2 of Chapter 6 of the Code of the City of Rolla, Kansas, pertaining to the sale and discharge of fireworks within the city limits,

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROLLA, KANSAS, THAT:**

1. **Replacement of §6-202.** That §6-202 of the Code of the City of Rolla is hereby amended to read in full as follows:

**WHEN SALE OF FIREWORKS LAWFUL.** It shall be unlawful, except from July 1 through July 4 of any year for any person, firm, corporation, or limited liability company to sell, deliver, or give away any fireworks within the corporate limits of the city, **PROVIDED HOWEVER**, that when the Fourth of July falls on a Sunday, the sale of fireworks shall also be permitted on the fifth day of July in such year.

2. **Replacement of §6-203.** That §6-203 of the Code of the City of Rolla is hereby amended to read in full as follows:
  - (a) **DISCHARGE OF FIREWORKS; TIMES PROHIBITED; EXCEPTIONS.** The discharging, firing or igniting of fireworks as defined at §6-201 is hereby prohibited except from 8 a.m. CDT to 1 a.m. CDT on July 1 through July 5 of any year. The governing body may grant prior permission for the public display of fireworks by responsible persons. Such discharging, firing, or igniting shall be of such a character and so located, discharged, and fired as shall not be hazardous to surrounding property or endanger any person or persons, and it shall be unlawful to discharge, fire, or ignite any fireworks within 100 feet of any retail fireworks sale location.

*Amended by  
Ord. # 362*

~~(b) EXCEPTIONS. Notwithstanding subsection (a), the discharging, firing or igniting of fireworks is hereby prohibited from July 1 through July 5 of any year in which:~~

- ~~(1) The governing body of the City of Rolla, Kansas, shall declare a fire hazard emergency within the corporate limits of the City of Rolla during such time;~~
- ~~(2) The Commissioners of Morton County, Kansas, shall by any manner permitted by law prohibit or attempt to prohibit any burning within the boundaries of Morton County, Kansas, during such time, or~~
- ~~(3) The Kansas State Fire Marshal shall by any manner permitted by law prohibit or attempt to prohibit any burning within the boundaries of Morton County, Kansas, during such time.~~

*Repealed  
by Ord. # 362*

~~3. **Replacement of §6-204.** That §6-204 of the Code of the City of Rolla is hereby amended to read in full as follows:~~

~~PROHIBITED LOCATIONS FOR DISCHARGE OF FIREWORKS. It shall be unlawful for any person to shoot, fire, or discharge any fireworks in any part of Blocks 5, 6, 7, or 8 of the Original Town of the City of Rolla, Kansas.~~

~~4. **Replacement of §6-206.** That §6-206 of the Code of the City of Rolla is hereby amended to read in full as follows:~~

~~RETAIL DISPLAY OF FIREWORKS. All retailers are forbidden to expose fireworks where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package, and all fireworks kept for sale on front counters must remain in original packages, except where an attendant is on constant duty at all times at counters where such fireworks are on display; Provided, that fireworks in open stock may be kept in show cases or counters out of the reach of the public without an attendant being on duty. Signs reading "Fireworks for Sale—No Smoking Allowed", and "No discharging of fireworks within 100' of firework display", shall be displayed in the section of the store set aside for the sale of fireworks.~~

5. **Inconsistent Ordinances Repealed.** All prior ordinances and parts of ordinances in conflict herewith are hereby repealed.
6. **Effective Date.** This Ordinance shall take effect and be in force from and after its publication in the Tri-State News.

**PASSED BY THE GOVERNING BODY** of the City of Rolla, Kansas,  
on the 18<sup>th</sup> day of June, 2001.

  
**N. BRENT HAYS**  
Mayor

Attest:

  
**JEAN ANN HULL, City Clerk**