

**ORDINANCE NO. 1020.30-5-2011**

**AN ORDINANCE REGULATING THE USE OF FIREWORKS  
IN THE CITY OF FRANKLIN, KENTUCKY**

WHEREAS, the Kentucky Legislature enacted House Bill 333 (KRS 227), which allowed cities to have the authority to regulate the sale of fireworks; and,

WHEREAS, the City has previously had a ban on the use of fireworks in its Code of Ordinances; and,

WHEREAS, said ban on the use of fireworks is not realistic, as they are prevalent every Fourth of July; and,

WHEREAS, the City Commission feels that it is in the best interests of the citizens and residents of the City of Franklin to regulate the use of fireworks and the hours in which they may be used.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Franklin, Kentucky as follows:

1. The use or sale of any firecrackers, skyrockets, or any other explosives ordinarily known and referred to as "fireworks" or "consumer fireworks" (as those terms are defined in Chapter 227 of the Kentucky Revised Statutes) are prohibited except as set forth herein or in the Gross Receipts License Fee Ordinance.

2. "Fireworks" or "consumer fireworks" (as those terms are defined in Chapter 227 of the Kentucky Revised Statutes) shall not be fired, exploded, or used in the city limits of the City of Franklin, Kentucky, except as follows:

(A) "Fireworks" or "consumer fireworks" (as those terms are defined in Chapter 227 of the Kentucky Revised Statutes) may be used, fired, or exploded on July 3 and July 4 of each year between the hours of 10:00 a.m. and 12:00midnight.

(B) Notwithstanding any provision herein to the contrary, and regardless of the day of the week on which the Fourth of July falls, persons are allowed to use, fire, or explode fireworks on any other date specifically named or designated by the City Commission of the City of Franklin, Kentucky as the date to celebrate the Fourth of July festivities, if other than the actual date of July 4<sup>th</sup>.

3. Any person, firm, business, partnership or corporation that violates any provision of this ordinance shall be fined not less than fifty dollars (\$50.00), nor more than two hundred dollars (\$200.00).

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

April 25, 2011 FIRST READING

May 9, 2011 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on May 9, 2011, on motion made by Commissioner Henry Stone and seconded by Commissioner Jamie Powell, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>YES</u>	LARRY DIXON	<u>YES</u>	JAMIE POWELL
<u>YES</u>	MASON BARNES	<u>YES</u>	HENRY STONE
<u>YES</u>	RONNIE CLARK, MAYOR		

APPROVED BY:

  
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Ronnie Clark, Mayor  
City of Franklin, Kentucky

ATTEST:

  
Kathy Stradner, City Clerk  
City of Franklin, Kentucky