

## ORDINANCE NO. 2018-012

### 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 ~~12:00 midnight~~ 10:30 p.m.

(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>. In addition, the City Commission may approve, by motion or Executive Order, the use, firing or exploding of fireworks at other times and for other holidays or events as they deem appropriate.

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).

EXHIBIT A

1. The first part of the document...

2. The second part of the document...

3. The third part of the document...

4. The fourth part of the document...

5. The fifth part of the document...

6. The sixth part of the document...

7. The seventh part of the document...

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.

July 23, 2018 - FIRST READING  
August 13, 2018 - SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on August 13, 2018, on motion made by Commissioner Dixon and seconded by Commissioner Stewart, the foregoing ordinance was adopted, after full discussion, by the following vote:

- Yes LARRY DIXON
- Yes JAMIE POWELL
- Yes MASON BARNES
- Yes WENDELL STEWART
- Yes RONNIE CLARK, MAYOR

APPROVED BY:  
  
Ronnie Clark, Mayor

ATTEST:  
  
Cathy Dillard, City Clerk  
City of Franklin, Kentucky

... ..  
... ..  
... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..  
... ..  
... ..

... ..  
... ..  
... ..  
... ..

... ..  
... ..  
... ..  
... ..  
... ..