

AN ORDINANCE TO PROHIBIT THE POSSESSION, SALE, DISPOSAL, USE, OR EXPLOSION OF FIREWORKS IN THE CITY OF PRICHARD, ALABAMA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

Section 1. As used in this ordinance the term "fireworks" shall be deemed to include any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing an audible effect by explosion, deflagration, or detonation, and shall include blank cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the balloons, fire-crackers, torpedoes, sky rockets, Roman Candles, bombs, or other fireworks of like construction, and any fireworks containing any explosive substance; provided, however, that the term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredth (25/100) grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper caps which contain less than twenty-five hundredth (25/100) grains of explosive mixture and sparklers, the sale and use of which shall be permitted at all times.

Section 2. Except as provided in Section 3 of this ordinance, it shall be unlawful for any person, firm, corporation, or association within the City of Prichard, Alabama, or its police jurisdiction, to sell, offer for sale, keep, or have in possession, barter, exchange, or give away, furnish at a public place or elsewhere, or otherwise dispose of, use, or explode any fireworks or pyrotechnics described in Section 1 of this ordinance, or to accept the delivery of, receive, have in possession, or possess in the City of Prichard, or its police jurisdiction, any of these fireworks or pyrotechnics in any quantity whatsoever.

Section 3. Section 2 of this ordinance shall not apply to the possession, sale, disposal, use or explosion of fireworks for public displays in accordance with rules and regulations promulgated by the Fire Chief of the City of Prichard, Alabama. Any person proposing to hold a public display of fireworks shall give notice thereof to the Fire Chief of the City of Prichard at least five (5) days prior thereto, and the Fire Chief may for good cause by order disapprove the display and prohibit its being held.

Section 4. Ordinance Nos. 671 and 675 are hereby repealed.

Section 5. All ordinances or part of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Any person violating any of the provisions of this ordinance, shall, upon conviction, be punished by a fine of not more than one hundred (\$100.00) Dollars, and may in addition, be sentenced to jail or hard labor for the City of Prichard for a period not to exceed six (6) months.

Section 7. This ordinance shall become effective at 12:01 A. M. on the first day of January, 1959.

Adopted this 21st day of July, 1958.

APPROVED: _____

Mayor

ATTEST:

City Clerk