

**ORDINANCE NO. 2003- 14**  
**AN ORDINANCE AMENDING THE CITY OF OZARK ORDINANCE NO. 1999-13, PROHIBITING THE SALE OF "BOTTLE ROCKETS", AND FOR OTHER PURPOSES.**

**BE IT ORDAINED**, by the Council of the City of Ozark, Arkansas, in regular session assembled:

**SECTION I:** Section 1 of City of Ozark Ordinance No. 1999-13 shall be, and hereby is, repealed.

**SECTION II:** Section 1 (b) of the City of Ozark Ordinance No. 1995-35 shall be, and hereby is, reinstated as follows:

"That it shall be unlawful for any person or persons to sell, barter, exchange or give away, or to ignite, fire, shoot, or explode within the corporate limits of the City of Ozark, Arkansas, any fireworks commonly known as bottle rockets and which are commonly sold by the dozen or by the gross (12 dozen). This specific prohibition only applies to the small bottle rockets which are intended to be shot into the air and then give a single report."

**SECTION III: PROVIDED**, it is not the purpose or intention of this Ordinance to prohibit the sale, loan, possession, or disposal of explosives used for blasting or other commercial purposes, but only such explosives and or combustible products as come under the general heading or designation of "Bottle Rockets" sold for amusement or pastime.

**SECTION IV:** Any person or persons selling, bartering, exchanging or giving away, igniting, firing, shooting or exploding said explosives commonly known as "Bottle Rockets" as above defined in Section I. and having same within the city limits of Ozark, Arkansas, shall be guilty of an unclassified misdemeanor and shall be fined the sum of Seventy Five Dollars (\$75.00) plus standard court costs, and each instance in violation of this Ordinance shall constitute a separate offense by the offender and a separate fine as punishment for each separate offense shall be assessed.

**SECTION V:** That all ordinances and parts of ordinances including Ordinance Nos. 1994-6, 1994-13, and 1999-13, to the extent they are in conflict with this ordinance, are hereby repealed.

**SECTION VI:** Since the sale and possession of "Bottle Rockets" within the city limits of Ozark, Arkansas, constitutes a grave fire hazard and is the cause of numerous painful and dangerous accidents, creates litter, and is a sound nuisance, it is necessary that this act take effect immediately for the preservation of public peace, health, and safety. Therefore, an emergency is declared and this act shall take effect and be enforced immediately after its passage and approval.

Passed and approved this 13<sup>th</sup> day of Oct, 2003.

C.L. Coley  
C.L. "Bat" Coley Mayor

**ATTEST:**

Carol Sneath  
Carol Sneath, City Clerk

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Passed and approved this 13<sup>th</sup> day of Oct, 2003.

C.L. Coley  
C.L. "Bat" Coley, Mayor

ATTEST:

Carol Sneath  
Carol Sneath, City Clerk

ORDINANCE NO. 1999-13

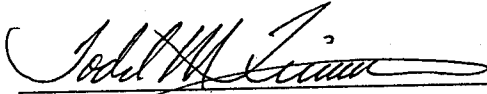
AN ORDINANCE AMENDING THE CITY OF OZARK ORDINANCE PROHIBITING SALE OF FIREWORKS FOUND IN CHAPTER 22, SECTION 1 OF BOURLAND'S DIGEST, PAGE 77, AND AMENDING CITY OF OZARK ORDINANCE NOS. 1994-6, 1994-13, AND 1995-35, REPEALING THE PROHIBITION OF SELLING OR SHOOTING BOTTLE ROCKETS, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF OZARK, ARKANSAS:


SECTION 1: Section 1(b) of City of Ozark No. 1995-35 shall be and hereby is repealed.

SECTION 2: If any group, club, association, school, church, or corporation desires to conduct a public display of fireworks at any time otherwise prohibited by Ordinance No. 1995-35, notification must be presented to the Mayor's office at least 15 days prior to the public display, and all necessary state and federal permits shall be obtained and proof of same presented to City Hall prior to the public display.

Passed and approved this 13<sup>th</sup> day of September, 1999.

  
\_\_\_\_\_  
Mayor, Todd Timmerman

ATTEST:

  
\_\_\_\_\_  
City Clerk, Carol Sneath

ORDINANCE NO. 1995-35

AN ORDINANCE AMENDING THE CITY OF OZARK ORDINANCE PROHIBITING SELL OF FIREWORKS FOUND IN CHAPTER 22, SECTION 1 OF BOURLAND'S DIGEST, PAGE 77, AND AMENDING CITY OF OZARK ORDINANCE NOS. 1994-6 AND 1994-13, AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council for the City of Ozark, Arkansas:

SECTION 1: That the City of Ozark Ordinance found at Chapter 22, Section 1 of Bourland's Digest, page 77, prohibited the sale, barter, exchange or give away, ignition, firing or shooting of any firecracker, roman candle, sky rocket, toy pistol, or any other kind of species of fireworks or explosives. The City Council for the City of Ozark, Arkansas, hereby amends such Ordinance to read as follows:

- a) That it shall be unlawful for any person or persons to sell, barter, exchange or giveaway, or to ignite, fire, shoot, or explode, within the corporate limits of the City of Ozark, Arkansas, any firecracker, roman candle, or any other kind of species of fireworks, or explosives commonly used and ignited or exploded for amusement subject to the following conditions:
  - 1) Any person, corporation, partnership, or sole proprietorship selling any of the above fireworks shall obtain a permit from the City Clerk which may be used for a period of eight (8) days, such eight days being six (6) days prior to the 4th of July of each year and one (1) day thereafter, including the 4th of July.
  - 2) Any individual, corporation, partnership, or sole proprietorship that explodes fireworks may do so during the same eight day period but under no circumstances shall any fireworks be exploded later than 10:00 p.m. on any day of the eight day period with the exception of the night of the 4th of July, and fireworks may be exploded until 12:00 midnight of that date only.
  - 3) No stands may be erected, set up, put in place, or sold from prior to seven (7) days before the 4th day of July of each year. All stands for the sale of fireworks are to be removed no later than the 6th day of July of each year.
- b) That it shall be unlawful for any person or persons to sell, barter, exchange or giveaway, or to ignite, fire, shoot, or explode within the corporate limits of the City of Ozark, Arkansas any fireworks commonly known as bottle rockets and which are commonly sold by the dozen or by the gross (12 dozen). This specific prohibition only applies to the small bottle rockets which are intended to be shot into the air and then give a single report.

SECTION 2: That all ordinances and parts of ordinances, including Chapter 22, Section 1 of Bourland's Digest, Page 77, or Ordinance Nos. 1994-6 and 1994-13, to the extent they are in conflict with this Ordinance are hereby repealed.

SECTION 3: That any person, corporation, partnership, or sole proprietorship violating this Ordinance shall be guilty of a misdemeanor and fined the amount of \$75.00.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

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Mayor, Vernon McDaniel

ATTEST:

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City Clerk, Carol Sneath

JPV:rm11  
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