

**AN ORDINANCE AMENDING SECTION 210.710 OF THE
MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI
RELATING TO THE SALE OR USE OF FIREWORKS**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
WARRENTON, MISSOURI, AS FOLLOWS:**

SECTION I. Section 210.170, entitled "Fireworks – Sale or Use Prohibited" is hereby amended by replacing the entire Section with the following words and phrases:

Fireworks – Use and Sales.

Except as provided for herein, it shall be unlawful within the City of Warrenton for any person, firm or corporation to sell, offer for sale, use, discharge or explode any fireworks, as defined by Section 320.106 RSMo.

A. Firework Usage. The use or exploding of any fireworks, as defined by Section 320.106 RSMo, shall be allowed within the boundaries of the City only between the hours of 5:00 P.M. and 10:00 P.M. on July 4 of each and every calendar year. The Mayor may prohibit the shooting or detonation of fireworks at any time when the City is under a state of emergency, as declared by an authorized official, or when drought conditions may cause the shooting or detonation to be unsafe.

B. Firework Sales.

1. *Permits.* Each Permit for a temporary fireworks stand shall require a City business license and such sign permits, and other permits as required by City ordinances.

2. *Applications.* Applications for temporary fireworks stand permits must be applied for by June first (1st) of each year.

3. *Transfer of Permits.* All temporary fireworks stand permits approved and issued by the City of Warrenton are personal to the applicant and are non-transferable. The sale of fireworks or operations of a facility for the sale of fireworks by someone other than the license holder shall void the permit and cause forfeiture of the permit and permit fee.

4. *Permit Fee.* Any person, firm or corporation making application for a temporary fireworks stand permit shall accompany said application with a fee of five hundred dollars (\$500.00) and applicable sign permit fees for each sign, for each location that a permit is sought. If the application is approved, then the total fee shall be retained by the City and deposited into the General Fund of the City.

5. *Location.* The site location is limited to property which is zoned as commercial or industrial district. The actual stand, tent, building or facility shall be at least one hundred (100) feet from any other temporary or permanent building and at least two hundred (200) feet from any residence or housing unit.

6. *Permit.* A permit for a temporary fireworks stand shall not be valid for more than sixty (60) calendar days and shall not be effective prior to May sixth (6th) of each year, nor be effective after July tenth (10th) of each year. Sales are restricted to dates from June twentieth (20th) to July tenth (10th). Date(s) of sales shall comply with any restrictions set forth under the laws of the State of Missouri.

7. *Prohibition.* The Board of Aldermen or their designee shall have the power and authority to limit or prohibit sales and/or discharge or detonation of fireworks.

8. *Sale and Display Prohibited.* No person shall exhibit or have in his possession with intent to give away or sell or offer for sale within the City any squib, rocket, cracker, torpedo, grenade, gun, revolver, pistol, cap or cartridge, or other combustible firecracker or fireworks of any kind without first obtaining a business license issued by the City.

9. *Cash Deposit.* A cash deposit, irrevocable letter of credit or a surety bond made payable to the City of Warrenton in the amount of ten thousand dollars (\$10,000.00) for each location to be operated by the applicant shall be submitted. Such deposit, letter or bond shall ensure compliance with the provisions of this Section, including, but not limited to, the removal of the stand, provisions for temporary electrical service and the cleaning and restoration of the site upon which it was located in accordance with the provisions of this Section. In the event the licensee does not comply with the provisions of this Section or does not remove the stand or restore the site as required, the City may do so or cause the same to be done and the reasonable cost thereof shall be charged against the licensee and the deposit, letter of credit or surety bond.

SECTION II. This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION III. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. This Ordinance shall take effect and be in full force from and after passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 3rd day of May, 2016.



President of the Board of Aldermen

ATTEST:



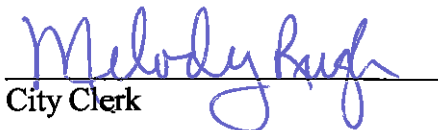
City Clerk

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 3rd day of May, 2016.



Mayor

ATTEST:



City Clerk