

ORDINANCE NO. 97

**AN ORDINANCE AMENDING ORDINANCE NO 74
ADOPTED AUGUST 14, 2007 WHICH WAS
AN ORDINANCE REGULATING FIREWORKS**

WHEREAS, the City Council of the City of Goshen adopted Ordinance No. 74 on August 14, 2007 and thereby regulated the sale and use of fireworks within the city limits and also repealed Ordinance No. 46; and

WHEREAS, the City Council desires to amend the current Ordinance regulating fireworks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. Ordinance No. 74 is amended so that Section 2 of Ordinance No. 74 is deleted in its entirety and now shall read as follows:

SECTION 2. It shall be unlawful to discharge, explode or ignite any fireworks within the corporate limits of the City of Goshen except the following dates: July 1-5. During that time period when it is lawful to discharge fireworks, no fireworks shall be discharged after 11:00 P.M. or before 10:00 A.M. In the event the County Fire Marshal, County Judge of Washington County, Arkansas or the Mayor of the City of Goshen, Arkansas, declares a ban on outside burning, either ban shall have the effect of also banning the discharge of fireworks within the corporate limits of the City of Goshen.

SECTION 2. That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

PASSED AND APPROVED this 11th day of September, 2012.

Joe Benson, Mayor

ATTEST:

Sharon Baggett, City Recorder

APPROVED AS TO FORM:

Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Andy Bethell
Richard Seddon
Brian Buell
Paula Anderson
Lanny Samuels

Absent

Joshua Lockhart

Names Of Those Voting NAY

None

ORDINANCE NO. 74

**AN ORDINANCE AMENDING ORDINANCE NO 46 ADOPTED JUNE 8, 2004 WHICH
WAS AN ORDINANCE REGULATING FIREWORKS;
ESTABLISHING PENALTIES FOR VIOLATIONS HEREOF.**

WHEREAS, the City Council of the City of Goshen adopted Ordinance No. 46 on June 8, 2004 and thereby regulated the sale and use of fireworks within the city limits; and

WHEREAS, the City Council desires to amend and restate the current Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. It shall be unlawful to sell fireworks within the City limits of said City. Fireworks shall be defined as defined in Ark. Code Ann. 20-22-701 et seq., including any amendments enacted with respect thereto.

SECTION 2. It shall be unlawful to discharge, explode or ignite any fireworks within the City limits except the following dates: July 1-5. During that time period when it is lawful to discharge fireworks, no fireworks shall be discharged after 11:00 P.M. or before 10:00 A.M.

SECTION 3. It shall be unlawful to discharge, explode or ignite fireworks within six hundred feet (600') of any church. No person shall ignite or discharge any fireworks within, or throw the fireworks from, a motor vehicle while therein, nor shall any person place or throw any ignited article of fireworks into or at a motor vehicle or at or near any person or group of people. It shall be unlawful to discharge fireworks on private property without written permission from the owner. No fireworks, debris, or fallout from such fireworks shall be permitted on public property or on the property of others.

SECTION 4. It shall be unlawful to discharge, explode or ignite fireworks within fifty feet (50') of an adjoining property owner.

SECTION 5. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200) or imprisoned for not more than ninety (90) days, or both, in the discretion of the court.

SECTION 6. Ordinance 46 adopted June 8, 2004, is hereby repealed.

PASSED AND APPROVED this 14th day of August, 2007.

Joe Benson, Mayor

ATTEST:

Cheryl Whillock, City Recorder

APPROVED AS TO FORM:

Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Jamie Boyd
Brian Buell
Max Poye

Names Of Those Voting NAY

Absent

Joshua Lockhart