

ORDINANCE NO. 2007-12

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CENTER POINT, ALABAMA CHAPTER 26, FIRE PREVENTION AND PROTECTION, ARTICLE II, FIREWORKS**

**BE IT ORDAINED** by the City Council of the City of Center Point, Alabama as follows:

**Section 1.** This ordinance hereby repeals Chapter 26, Fire Prevention and Protection, of the Code of Ordinances of the City of Center Point, Alabama, heretofore adopted February 22, 2007, Article II Fireworks (originally adopted in Ordinance number 2003-03 adopted April 10, 2003 and in Ordinance number 01-2003-03 adopted May 1, 2003) and replaces Article II Fireworks with the following sections to bring the City of Center Point, Alabama into compliance with Chapter 33 of the International Fire Code, heretofore adopted by the City Council by reference in the Code of Ordinances, Chapter 6, Article II, Division I, Section 6-27 and by ordinance in Ordinance number 2004-25 adopted on June 24, 2004:

**Section 2.** No person shall have, keep, store, use, manufacture, sell or handle, within the city limits or its police jurisdiction, any pyrotechnics.

**Section 3. "Pyrotechnics"** as used in this section shall be held to mean any squib, rocket, firecracker, Roman candle, sparklers, fire balloon, signal lights, railroad torpedo, flashlight composition, fireworks or other devices or compositions used to obtain visible or audible pyrotechnic display.

**Section 4.** Persons proposing or sponsoring pyrotechnic or fireworks displays for national or community celebrations of holidays or special events may, upon proper application and approval by the Mayor and the Fire Marshal of the City of Center Point, obtain a permit allowing such display in compliance with NFPA 1123 and NFPA 1126. The application shall contain such information as may be necessary to ensure the safety of the public at large and private property including, but not limited to:

- (a) Statement of the types of pyrotechnics to be used;
- (b) Statement of the expertise of persons controlling the display;
- (c) Precautions exercised by the sponsor;
- (d) Insurance coverage required; and
- (e) Other information deemed appropriate by the Mayor and Fire Marshal of the City.

Failure to provide relevant information may be considered in approving or denying the application.

**Section 5.** There is hereby established an issuance fee in the amount of seventy-five dollars (\$75.00) to be paid by all applicants for pyrotechnics permits.

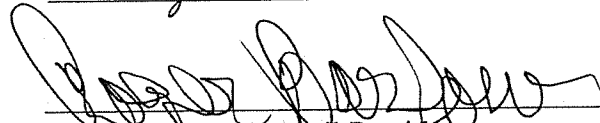
**Section 6.** Any person violating the provisions of this section shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by a sentence of hard labor for the City not to exceed one hundred eighty (180) days, one (1) or both.

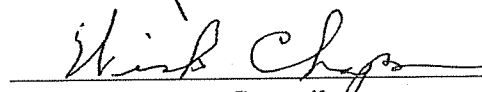
**Section 7. Repealer:** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Center Point, Alabama, that are consistent with the provisions of this Ordinance are hereby expressly repealed.

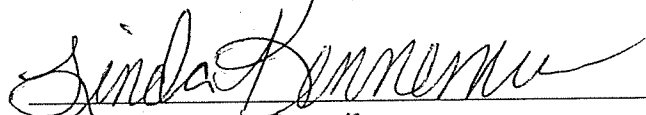
**Section 8. Severability:** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Section 9. Effective Date:** This ordinance shall become effective immediately upon its adoption and publication or posting as provided by law.

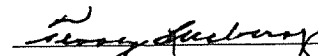
ADOPTED this 9<sup>th</sup> day of August, 2007.

  
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Roger Barlow, Council President

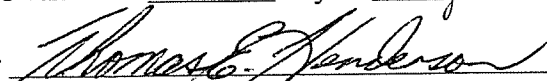
  
\_\_\_\_\_  
Wink Chapman, Councilman

  
\_\_\_\_\_  
Linda Kennemur, Councilwoman

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Raymond Olan, Councilman

  
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Terry Leesburg, Councilman

APPROVED this 13<sup>th</sup> day of August, 2007.

Mayor   
\_\_\_\_\_  
Thomas E. Henderson

ATTEST Jackie Davidson  
Jackie Davidson, City Clerk