

Ordinance No. 11-70

AN ORDINANCE OF THE VILLAGE OF PLEAK PROHIBITING THE POSSESSION, SALE OR USE OF FIREWORKS WITHIN THE VILLAGE LIMITS; PROVIDING FOR DEFINITIONS; REPEALING ORDINANCE NO. 7, NO. IV AND ORDINANCE NO. 29 AND REPLACING SAID ORDINANCES WITH THIS CURRENT ORDINANCE; PROVIDING FOR ENFORCEMENT.

WHEREAS, the Village Council for the Village of Pleak intends to repeal ordinances No. 7, No. IV and No. 29 with this more current ordinance prohibiting the possession, sale or use of fireworks within the Village limits to protect the environment, promote public health and safety;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PLEAK, TEXAS:

Section 1. Repeal. Ordinances No.7, No. IV and ordinance No. 29 are hereby repealed and replaced with this ordinance.

Section 2. Definition. For the purpose of this section, fireworks shall mean any composition or device designed to produce a visible or audible effect by combustion, explosion, deflagration, or detonation, such as firecrackers, cannon crackers, skyrockets, torpedoes, Roman candles, sparklers, squibs, fire balloons, star shells, gerbs, or any other substance in whatever combination by any designated name intended for use in obtaining visible or audible pyrotechnic display, and such term shall include all articles or substances within the commonly accepted meaning of fireworks, whether specifically designated and defined in this subsection or not.

Section 3. Possession, sale or use. It shall be unlawful for any person to sell, offer to sell, or have in their possession with the intent to sell, keep, use, possess, discharge, ignite, detonate, fire, or otherwise set in action any fireworks of any description.

Section 4. Manufacturing prohibited. The manufacture of fireworks is prohibited within the corporate limits of the Village.

Section 5. Penalty. Any person in violation of any provision of this ordinance shall surrender all fireworks in their possession and be subject to a fine not to exceed two thousand dollars (\$2,000.00).

Section 6. Adoption of ordinance.

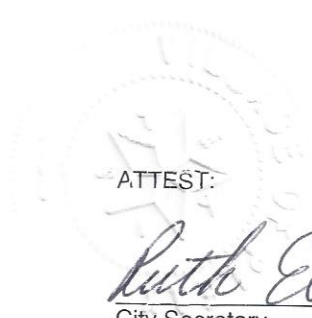
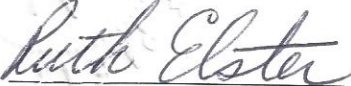
This ordinance shall become effective upon its approval and passage.

PASSED by a majority vote of the members of the Village Council this 15th day of June, 2011.

APPROVED:


Mayor Pro-Tem Larry Bittner

ATTEST:



City Secretary