

**ORDINANCE NO. 328**

**AN ORDINANCE PROHIBITING THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF STILWELL, OKLAHOMA, MAKING IT A MISDEMEANOR FOR VIOLATION THEREOF, PROVIDING A PENALTY THEREFOR; DECLARING AN EMERGENCY; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.**

**BE IT ORDAINED** by the Mayor and Council of the City of Stilwell, Oklahoma:

**SECTION 1.** That from and after the passage and approval of this Ordinance, it shall be unlawful for any person to sell or to discharge, set off or shoot any firecracker, torpedo, buzz bomb, aerial bomb, cannon, roman candle, sky rocket or any other type or types of fireworks designed for such use within the corporate limits of the City of Stilwell, Oklahoma, except as follows, to-wit:

- A. That fireworks may be sold within the corporate limits of the City of Stilwell, Oklahoma until 12:00 a.m. midnight, from June 15<sup>th</sup> until July 5<sup>th</sup> and December 5<sup>th</sup> until January 2<sup>nd</sup> of each successive year, and including the year 2004, the year of the passage of this Ordinance; and all persons, firms or corporations are prohibited from selling such fireworks except during the times hereinbefore specified.
- B. That all person, firms, corporations or entities of any kind or nature be, and they are hereby, prohibited from discharging, setting off or shooting any fireworks within the corporate limits of the City of Stilwell, Oklahoma, except the year of the passage of this Ordinance; and provided that said fireworks may be discharged up to and until 11:00 o'clock p.m. of that date.
- C. Provided, however, that any nonprofit religious, municipal or service organization may have and conduct fireworks displays in the City of Stilwell, Oklahoma, on days other than those hereinabove set forth, with the permission of the Council of said City being first obtained.

**SECTION 2.** That any person violating the provisions of Section 1 hereof shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine and cost of not more than thirty-five (\$35.00) dollars.

**SECTION 3.** That all ordinances and parts of ordinances in conflict herewith be, and the same are hereby, repealed.

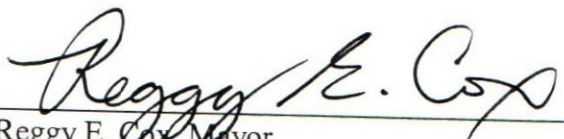
**SECTION 4. EMERGENCY.** WHEREAS, an immediate necessity exists therefor, for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by

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reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council this 7<sup>th</sup> day of September, 2004.

Approved by the Mayor this 7<sup>th</sup> day of September, 2004.

  
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Reggy E. Cox, Mayor

ATTEST:

  
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City Clerk

