Chapter 5.24 Fireworks

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5.24.010 Short title.
The ordinance codified in this chapter shall be known and cited as the "Fireworks Control Ordinance of the City of Homer". (Prior code 18-100.1).

5.24.020 Fireworks defined.
In this chapter, "fireworks" includes any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and includes blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, balloons which require explosive propellant, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, or other fireworks of like construction, which contain any explosives or flammable compound, or any tablets or other device containing any explosive substance, except that the term "fireworks" shall not include sparklers, toy pistols, toy canes toy guns or other devices in which paper caps, manufactured and shipped in accordance with the United States Interstate Commerce Commission regulations regarding such caps, are used, the sale and use of which shall be permitted at all times. The discharge of firearms as permitted by City ordinance shall not be a violation of this chapter. (Prior code 18-100.1).

5.24.030 Sale prohibited.
No person, business, corporation, association, club or organization shall sell, expose for sale, or offer for sale any fireworks within the corporate limits of the City except as otherwise provided by this chapter. (Prior code 18-100.2).

5.24.040 Prohibition on use. No person, business, corporation, association, club or organization shall use or explode any fireworks, except as otherwise provided by this ordinance. (Prior code 18-100.3).

5.24.050 Exceptions for authorized exhibits--Permits required.
a. Fireworks may be used for public exhibits by fair associations, amusement parks and other organizations or groups of individuals if:
1. A permit is first obtained from the City Clerk, upon payment of a permit fee, in an amount determined by Council Resolution and set forth in the City of Homer Fee Schedule, per exhibit or continuous series of exhibits; such permit to be applied for not less than thirty days prior to such exhibit or series of exhibits; and
2. A bond is filed with the City, in the amount of at least five hundred dollars, to insure payment of all damages to persons or property caused by any exhibit. A bond will not be required if the holder of the permit has in effect a liability insurance policy which accomplishes the same purpose as the bond.
b. No permit issued under this section shall be transferable. (Ord. 04-03, 2004; Prior code 18-100.4).

5.24.060 Violation-Penalty.
The violation of any provision contained in this chapter shall be punished under the general penalty provision of the City Code. (Prior code 18-100.6).

For statutory provisions authorizing municipalities to regulate fireworks, see A.S. 29.35.210. Prior ordinance history: Ordinance 68-6).

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