

**AN ORDINANCE**

AN ORDINANCE AMENDING THE CODE OF GRIFFIN, GEORGIA, AT CHAPTER 46, FIRE PREVENTION & PROTECTION, BY ENACTING A NEW ARTICLE V, CONSUMER FIREWORKS; SPECIAL USE PERMITS, SECTION 46-60, ET SEQ., PROVIDING FOR THE ISSUANCE OF SPECIAL USE PERMITS TO AUTHORIZE THE IGNITION AND/OR EXPLOSION OF CONSUMER FIREWORKS AT TIMES AND LOCATIONS NOT PERMITTED UNDER GENERAL STATE LAW; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO RESTATE AND REAFFIRM THE CODE OF GRIFFIN, GEORGIA, AS MODIFIED HEREBY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:**

Section 1. The Code of Griffin, Georgia, is hereby amended at Chapter 46, FIRE PREVENTION & PROTECTION, by enacting a new Article V, CONSUMER FIREWORKS; SPECIAL USE PERMITS, commencing at Sec. 46-60, et seq., to read as follows:

**“ARTICLE V. CONSUMER FIREWORKS; SPECIAL USE PERMITS.**

**Sec. 46-60. Use of Consumer Fireworks.**

The sale, possession, use, ignition and explosion of consumer fireworks within the City of Griffin shall be strictly governed by state law codified at O.C.G.A. §25-10-1, *et seq.*

**Sec. 46-61. Special Use Permit for Use and Ignition of Consumer Fireworks.**

(a) On any day, other than January 1, July 3, July 4, and December 31, outside the lawful hours established by general law for the use and ignition of consumer fireworks, the use and ignition of consumer fireworks within the City is prohibited, unless the person, firm, corporation, association, or partnership seeking to use, ignite, or cause to be ignited consumer fireworks holds a Special Use Permit issued by the Fire Chief of the City. Application for such permit shall be made on forms provided by the City for such purpose and accompanied by payment of a fee of One Hundred (\$100.00) Dollars. No permit shall be issued for a time between 11:00 p.m. and 10:00 a.m. on the following day.

(b) No person, firm, corporation, association, or partnership may use, ignite, or cause to be ignited consumer fireworks at a location within the City prohibited by general state law; provided, however, a Special Use Permit may be issued by the Fire Chief of the City for a person, firm, corporation, association, or partnership to use, ignite, or cause to be ignited consumer fireworks within any public park, historic site, recreational area, or other property which is owned by the City, or under its custody and control; provided,

further that no special use permit shall issue for any location within 100 yards of a hospital, nursing home, or other health care facility regulated under Chapter 7 of Title 31, O.C.G.A., unless the owner or administrator of the health care facility has given written permission for consumer fireworks to be used or ignited within 100 yards of its facility. Application for such permit shall be made on forms provided by the City for such purpose and accompanied by payment of a fee of One Hundred (\$100.00) Dollars.

(c) It shall be a violation of this Section for any person, firm, corporation, association, or partnership, to use, ignite, or cause to be ignited within the City consumer fireworks at a time or location for which no Special Use Permit has been issued. Citations for violations shall be returnable to the Municipal Court and, upon conviction, the violator shall be punished by a fine not to exceed Five Hundred (\$500.00) Dollars.”

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

Section 3. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Section 4. Except as modified herein, The Code of Griffin, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

First Reading:            May 10, 2016

Second Reading:        May 24, 2016