

FIRST READING: July 21, 2020

ORD. NO. 64-33

2ND & FINAL READING: August 18, 2020

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER III,
POLICE REGULATION, OF AN ORDINANCE ENTITLED, "AN
ORDINANCE ADOPTING AND ENACTING THE REVISED
GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999,"
PASSED NOVEMBER 23, 1999 AND APPROVED NOVEMBER
24, 1999, AND AS AMENDED AND SUPPLEMENTED**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:

Section 1. That Chapter III, Police Regulations, Section 3-6.1, Fireworks Prohibited shall be and the same is hereby amended to read as follows:

a. It shall be unlawful to sell, offer for sale, possess, use or discharge fireworks in the City without a valid permit except that a person 16 years of age or older may lawfully buy, possess and use sparkling devices and novelties. These permissible fireworks are limited to hand held or ground based sparklers, snakes, and glow worms; and trick noisemakers, including party poppers, snappers, and drop pops.

b. Any municipality, religious, fraternal or civic organization, fair associations, amusement parks, or other organizations or groups of individuals seeking to discharge fireworks must obtain a permit from the City by submitting an application in writing to the City Clerk, and post a bond. Both the Chief of Police and the Fire Chief or their designees must approve the permit. The permit, if issued shall contain an identification number, specify the type of fireworks to be used, and shall name one person who shall be authorized to purchase, or otherwise order, and receive delivery of any fireworks.

c. Fireworks by permit or those permitted by law shall not be discharged between the hours of 10:00 p.m. and 8:00 a.m.

d. Fireworks by permit or those permitted by law shall not be discharged on City property including but not limited to City parks, City parking lots and City Streets and fireworks shall not be discharged within 15 feet of any structure.

c. Any person or corporation found guilty of violating any of the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5.

Section 2. The remaining provisions of the chapter hereby amended and supplemented shall continue in full force and effect to the same extent as if herein fully repeated.

Section 3. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This ordinance shall take effect in the manner provided by law.

PASSED: August 18, 2020

President of Council

APPROVED: August 19, 2020

Mayor

ATTEST:

City Clerk