

ORDINANCE NO. 46

**AN ORDINANCE AMENDING ORDINANCE NO VIII ADOPTED
JUNE 11, 1996 WHICH WAS AN ORDINANCE REGULATING FIREWORKS;
ESTABLISHING PENALTIES FOR VIOLATIONS HEREOF; AND TO
DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.**

WHEREAS, the City Council of the City of Goshen adopted Ordinance No. VIII on June 11, 1996 and thereby regulated the sale and use of fireworks within the city limits; and

WHEREAS, the City Council desires to amend and restate the current Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. It shall be unlawful to sell fireworks within the City limits of said City.

SECTION 2. It shall be unlawful to discharge any fireworks within the City limits except the first five days of July. During that time period when it is lawful to discharge fireworks, no fireworks shall be discharged after 11:00 P.M. or before 7:00 A.M.

SECTION 3. It shall be unlawful to discharge fireworks on private property without written permission from the owner. No fireworks, debris, or fallout shall be permitted on public property or on the property of others.

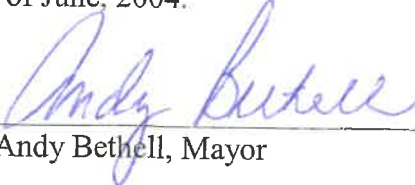
SECTION 4. It shall be unlawful to discharge fireworks within fifty feet of an adjoining property owner.

SECTION 5. Any person who violates this Ordinance shall be subject to a fine or penalty up to One Thousand Dollars (\$1,000).

SECTION 6. Ordinance VIII, adopted June 11, 1996, is hereby repealed.

SECTION 7. EMERGENCY CLAUSE: It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 8th day of June, 2004.



Andy Bethell, Mayor

ATTEST:


Sharon Baggett, City Recorder

APPROVED AS TO FORM:


Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Joe Benson
John Kauffman
John Meek
Dick Seddon
Albert Skiles

Names Of Those Voting NAY

ABSENT

Chuck Huskey