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FILED FOR RECORD  
At 11:40 O'clock ~~P~~M

ORDINANCE NO. 31

APR 16 1990

SUE HODGES  
Clerk and Recorder  
BENTON COUNTY, ARK.

AN ORDINANCE DIRECTING THAT THE SALE AND USE OF FIREWORKS IN THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS, SHALL BE UNLAWFUL, AND PROVIDING FOR THE ENFORCEMENT AND PUNISHMENT THEREFORE, AND DECLARING AN EMERGENCY

WHEREAS, the Town Council of the Town of Bethel Heights has determined that it is in the best interests of the town of Bethel Heights to restrict and control the selling of, distribution, or dissemination of the product commonly known as fireworks within the Town of Bethel Heights, Arkansas;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the Town of Bethel Heights, Arkansas, in its regular session, assembled as follows:

SECTION 1: It shall be unlawful for any person to offer fireworks for sale at retail within the city limits of the City of Bethel Heights, Arkansas.

SECTION 2: Fireworks shall be defined as any explosive devise using gunpowder, including, but not limited to, the following items: firecrackers, sparklers, fountains, bottle rockets, cherry bombs, and any other exploding fireworks.

SECTION 3: It shall be unlawful for any person to use fireworks within the Town at any time except on the dates of July 3rd and 4th.

SECTION 4: It shall be unlawful for any person to use the following fireworks at any time except at public display, pursuant to Section 409.7 of the Rules and Regulations for the Arkansas Fire Prevention Code (1983 Edition):

1. Skyrockets; and
2. Firecrackers, or any other exploding fireworks.

SECTION 5: It shall be unlawful for any person to use fireworks within the Town except on the person's own property; provided, public displays pursuant to Section 490.7 of the Rules and Regulations for the Arkansas Fire Prevention Code (1983 Edition) shall be permitted.

SECTION 6: The Mayor shall be authorized to declare an emergency and to prohibit all use of fireworks upon a determination that such use would create a fire hazard in dry conditions.

*City of Bethel Heights  
P.O. Box 222  
Springdale Ark 72765*

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SECTION 7: Each day for which any violation of this Ordinance continues shall be deemed a separate offense and punished accordingly.

SECTION 8: Penalties. Whoever violates any provision of this Ordinance shall be guilty of a misdemeanor and may be punished by a fine of not less than Two hundred fifty Dollars (\$250.00) and not more than Five Hundred Dollars (\$500.00) plus costs.

SECTION 9: Severability. If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any court, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 10: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are herein repealed.

SECTION 11: That this Ordinance is necessary to preserve the public peace, health, safety and welfare of the citizens of Bethel Heights, and because if such an emergency is declared to exist and this Ordinance shall be in full force and effect from the time of its passage and approval.

PASSED AND APPROVED this 8<sup>th</sup> day of January, 1990.

APPROVED:

John Kendrick Mayor  
MAYOR JOHN KENDRICK

ATTEST:

Gladys Avey, Rec. Treas.  
RECORDER