

ORDINANCE NO. 5308

AN ORDINANCE AMENDING ORDINANCE NO. 5033, "USE OF CONSUMER FIREWORKS," TO ALLOW FOR A SPECIAL EXCEPTION IN 2012

WHEREAS, Ordinance No. 5033 was passed on June 4, 2007 to regulate the use of consumer fireworks.

WHEREAS, Ordinance 5033 prohibits the use of any type of firecracker or other type of firework within the city limits except for between the hours of 5:00 p.m. and 2 hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9; between the hours of 10:00 a.m. and 12:00 midnight on July 4; and between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

WHEREAS, a burn ban was declared in 2012 due to dry weather conditions, which prohibited the use of consumer fireworks during the designated time set forth in Ordinance No. 5033.

WHEREAS, the City wishes to create a temporary exception to Ordinance No. 5033 to allow for the use of consumer fireworks during the 2012 Labor Day holiday.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, THAT ORDINANCE NUMBER NO. 5033 IS AMENDED TO READ:

Section 1. Use of Consumer Fireworks.

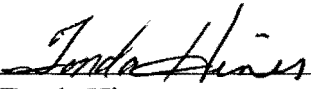
No person shall fire any type of firecracker or other type of firework within the city limits except for during the following periods:

- A. Between the hours of 5:00 p.m. and 2 hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9; between the hours of 10:00 a.m. and 12:00 midnight on July 4; and between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.
- B. Between the hours of 5:00 p.m. and 2 hours after sunset on August 31, 2012, September 1, 2012, and September 2, 2012, and between the hours of 10:00 a.m. and 2 hours after sunset on September 3, 2012.

Section 2. Termination and Revocation of Paragraph B of Section 1.

Paragraph B of Section 1 shall automatically terminate, expire, and be of no further force or effect as of 11:00 p.m. on September 3, 2012.

ORDAINED this 29th day of August, 2012.



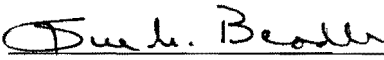
Tonda Hines
President of the Common Council

ATTEST:



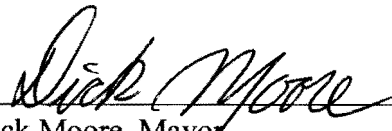
Sue M. Beadle, City Clerk

PRESENTED to the Mayor by me this 29th day of August, 2012.



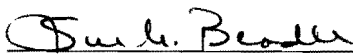
Sue M. Beadle, City Clerk

APPROVED by me this 29th day of August, 2012.



Dick Moore, Mayor

ATTEST:



Sue M. Beadle, City Clerk