

ORDINANCE NO. 2024- 1156

AN ORDINANCE REGULATING THE POSSESSION, SALE, DISPLAY, AND DISPOSAL OF FIREWORKS WITHIN THE CITY LIMITS OF THE CITY OF FAIRFIELD, ALABAMA

BE IT ORDAINED by the City Council of the City of Fairfield, Alabama, as follows:

SECTION ONE:

(a) Pursuant to Alabama Code Section 8-17-211, it shall be unlawful for any person, firm partnership, association or corporation within the city limits of the City of Fairfield, Alabama, to sell, offer for sale, keep or have in possession, barter, exchange or give away, furnish at public places or elsewhere, or otherwise dispose of, use or explode any fireworks or pyrotechnics within the city limits of the City of Fairfield.

(b) Such fireworks described in Alabama Code Section 8-17-210 are declared to be contraband and to constitute a nuisance that can be abated only by their confiscation and destruction.

(c) Such contraband may be seized, condemned and destroyed as provided in Alabama Code Section 8-17-225 by a designated city official.

SECTION TWO:

(a) In order for any fireworks to be sold within the city limits of the City of Fairfield, Alabama, all provisions of Alabama Code Section 8-17-211 (1975) must be complied with and all necessary permits must be exhibited to the City Clerk of the City of Fairfield, Alabama prior to obtaining a license therefore.

(b) Pursuant to this Ordinance, fireworks may be sold at retail from June 20 to July 6, inclusive, and December 15 to January 1, inclusive, of each year only after first obtaining a license from the City of Fairfield.

(c) A license for the sale of fireworks as set out above may be obtained from the City Clerk of the City of Fairfield, Alabama upon application and payment of the license fee and permit fee in the total amount of \$339.00 to the City Clerk of the City of Fairfield, Alabama.

SECTION THREE:

All definitions, terms and conditions, and prohibitions as provided by Alabama Code Section 8-17-210 (1975), inclusive, shall apply to the sale and storage of said fireworks in the City of Fairfield, Alabama.

SECTION FOUR:

Anyone obtaining a license for the sale of fireworks under this Ordinance shall be required to take out liability insurance with limits of \$100,000, \$300,000/\$25,000 and furnish to the City Clerk of the City of Fairfield, Alabama a certified copy of said policy of insurance prior to the issuance of said license.

SECTION FIVE:

Any person, firm, partnership, association or corporation who is found to be in violation of this Ordinance shall, upon conviction, be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00) to be determined at the discretion of the court trying the case. Ala. Code §§ 11-45-1, 11-45-9 (1975).

SECTION SIX:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of the Ordinance, which shall continue in full force and effect notwithstanding such holding.

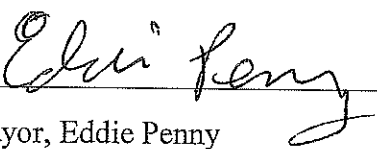
SECTION SEVEN:

All other ordinances, or parts of other ordinances, in direct conflict with the terms and provisions of this Ordinance are hereby expressly repealed in their entirety.

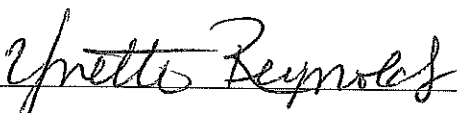
SECTION EIGHT:

This Ordinance shall become effective immediately upon its passage and publication as provided by law.

ADOPTED this 7 day of October, 2024.



Mayor, Eddie Penny



City Clerk/Treasurer, Yvette Reynolds