

ORDINANCE NO. 52

AN ORDINANCE PROHIBITING THE MANUFACTURE, KEEPING AND SALE OF FIREWORKS, FIRECRACKERS, TOY PISTOLS AND AMMUNITION THEREFOR, AND GUNS OR EQUIPMENT USED FOR CREATING EXPLOSIONS BY THE USE OF CHEMICALS; AND PROHIBITING THE USE OF SUCH FIREWORKS, FIRECRACKERS, TOY PISTOLS AND AMMUNITION THEREFOR AND OF EQUIPMENT USED FOR CREATING EXPLOSIONS BY THE USE OF CHEMICALS WITHIN THE CORPORATE LIMITS OF THE CITY OF WASHBURN; PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WASHBURN, NORTH DAKOTA.

Section 1. Definition. The term fireworks as used in this ordinance shall mean and include all manner of sky rockets, roman candles, pin wheels and other forms of apparatus whereby displays are made or can be made by the use of explosives of any kind. The term firecrackers when used in this ordinance shall mean and include all sorts of apparatus and equipment manufactured, prepared or designed for the purpose of making noises where such noise is produced as the result of the use of explosives or chemicals of any kind. The term toy pistols as used in this ordinance shall mean and include all sorts of metal, plastic or other apparatus whereby, and by the operation of which, noises are made by the use of explosive caps, paper or the use of chemicals as the result of impact by such hammer or other means are made or used by the operation of the mechanism of such apparatus. The term chemicals as used in this ordinance shall mean and include all sorts of chemicals which by combination in any manner with other chemicals, water or other means creates gas from which explosions result or can be made to result.

Section 2. Prohibition. The manufacture, exposing for sale, keeping for sale and selling or giving away of any fireworks, firecrackers, toy pistols and ammunition therefor, and equipment or apparatus designed or usable for the creation of explosions and noises within the corporate limits of the City of Washburn, is hereby prohibited.

Section 3. Use Prohibited. It shall be unlawful for any person, firm or corporation to use or discharge within the corporate limits of the City of Washburn any fireworks as defined herein, any firecrackers, toy pistols, apparatus designed or usable for the creation of noise by the use of chemicals or equipment designed or used for the creation of noise by the use of chemicals or equipment designed or used for the creation of noises by the means of explosives, paper or chemical or other materials.

Section 4. Penalty. Any person violating any of the provisions of this ordinance shall be upon conviction thereof, fined not more than One Hundred Dollars (\$100.00) or imprisoned in the city jail for not exceeding ninety (90) days or by both such fine and imprisonment.

Section 5. Declaration of Police Power. This ordinance shall be deemed to be enacted pursuant to the police power of the City of Washburn and for the safety and protection of the public health and welfare of the people of this city and for the prevention of fire.

First Reading Jan 7-47

Second Reading Feb 2-1947

Third Reading _____

Approved and passed Feb 3, 1947

R. C. Curran
President City Commission

Attest

E. J. Schuch
City Auditor