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ORDINANCE NO. 08-16-2012 B

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.56, SECTION 7.56.01, DECLARING AN EMERGENCY TO EXIST, AND FOR RELATED PURPOSES.**

WHEREAS, the recent drought combined with very high temperatures and a Burn Ban being in effect over an extended period of time.

WHEREAS, due to the Burn Ban being in effect the discharge of fireworks as allowed under paragraph A of 7.56.01 Elkins Municipal Code was prohibited.

WHEREAS, in order to promote the sale of fireworks, the celebration of our County's independence and to provide our residents an opportunity to enjoy and celebrate a holiday in a special manner.

BE IT ORDAINED BY THE CITY COUNCIL OF ELKINS, ARKANSAS, that:

Section 1; Section 7.56.01 of Chapter 7.56 of Title 7 of the Elkins Municipal Code is amended by adding paragraph C as follows:

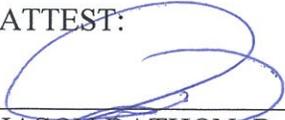
"C. Should the explosion, shooting, discharge or other igniting of fireworks on the days and/or times allowed under A above, be prevented by a Burn Ban, Fire Warning or other extra ordinary situation, then the Mayor, with the concurrence of the City Council, may select, announce and publicize (as appropriate) alternate days and/or hours for the exploding, shooting, discharge and igniting of fireworks."

Section 2; In all other respects Section 7.56.01 of Chapter 7.56 of Title 7 of the Elkins Municipal Code is ratified and confirmed.

Section 3; Due to the Burn Ban in effect in July of this year and the approaching Labor Day Holiday being a good potential alternative for use of fireworks, an emergency is hereby declared to provide for the public good and safety, therefore this Ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 2012.

  
L. BRUCE LEDFORD, Mayor

ATTEST:  
  
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JASON BATHON, Recorder-Treasurer