

## ORDINANCE NO. 210

**AN UPDATED ORDINANCE ESTABLISHING TIMES, LOCATIONS FOR THE DISCHARGE AND SETTING OFF OF FIREWORKS AND THE ABILITY TO PROHIBIT AND PROVIDE FOR A PENALTY FOR VIOLATION THEREOF.**

**WHEREAS**, the Town council of the Town of Enchanted Oaks finds the general health and welfare of the citizens of Enchanted Oaks is directly affected by the safe and controlled discharge of fireworks and have determined that the adoption of the following ordinance is the best interest of the Town of Enchanted Oaks, and;

**NOW THEREFORE, BE IT ORDAINED THE TOWN COUNCIL OF THE TOWN OF ENCHANTED OAKS, TEXAS AS FOLLOWS:**

### **Section 1. Fireworks**

- a. Only fireworks authorized by the State of Texas and Henderson County for sale at fireworks stands can be discharged or set off.

### **Section 2. Location**

- a. Fireworks may only be discharged or set off within the Town of Enchanted Oaks on that person's private property, public streets, or the west boat concrete ramp (not the wood dock).
- b. The use of public streets may not in any way hamper or restrict public use or the use by emergency vehicles.

### **Section 3. Persons and responsibility**

- a. A person over the age of 18 years shall be in direct supervision of the discharge and setting off fireworks and will assume all responsibility for any minor person discharging or setting off fireworks under their supervision.

### **Section 4. Dates and Times**

- a. The Town Council shall review the dates and times annually and identify the approved dates and times for that year.
- b. Fireworks may only be discharged and set off on those approved dates and times.

**Section 5. Burn Ban**

- a. Fireworks shall be prohibited during Town or County burn bans or when the Town Council deems that other conditions or hazards exists that may present a significant risk to life and/or property.

**Section 6. Disposal of Debris**

- a. Persons responsible for discharging or setting off fireworks are required to clean up and remove any debris they generate from the act of discharging or setting off fireworks.

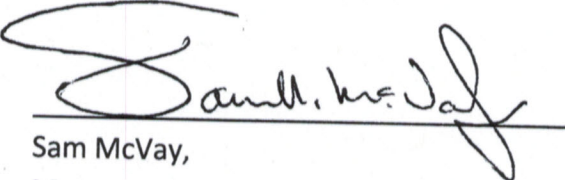
**Section 7. Penalty**

- a. Any person responsible for violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction in a court of law shall be subject to the maximum fine allowed by State law for each offense including injunctive relief.

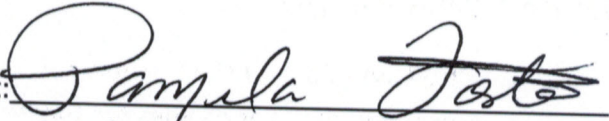
**WHEREAS**, this ordinance shall be effective immediately and shall **supersede Ordinance 155.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENCHANTED OAKS, TEXAS:**

**PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF DECEMBER, 2017.**

  
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Sam McVay,  
Mayor

Attest:   
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Pamela Foster,  
City Secretary