

COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. 06-19-02 SERIES 2018

AN ORDINANCE RELATING TO FIREWORKS

WHEREAS, Shelby County, Kentucky has the authority pursuant to KRS 227.750(4) to enact an ordinance that affects the sale or use of fireworks within its jurisdiction; and

WHEREAS, Shelby County Fiscal Court has determined it to be in the best interest of the community to regulate the sale and use of fireworks within its jurisdiction,

NOW, THEREFORE, be it ordained by the Fiscal Court of Shelby County, Kentucky, as follows:

SECTION 1: REGULATION OF FIREWORKS

- (A) This ordinance shall be known as the "Fireworks Enforcement Code."
- (B) *Fireworks* as regulated in this ordinance shall have the same meaning as in KRS 227.700 and KRS 227.702, except it shall not include those described in KRS 227.702(1).
- (C) The use or sale of fireworks is prohibited except as provided herein. The use of Display Fireworks as defined in KRS 227.706 are subject to the applicable restrictions of state, federal and local law.
- (D) A person lawfully possessing fireworks may use, ignite, fire or explode those items in Shelby County, Kentucky only if:
- (i) He or she is at least eighteen (18) years of age;
 - (ii) Fireworks are not ignited within two hundred (200) feet of any structure, vehicle or any other person; and
 - (iii) Use of those fireworks does not place him or her in violation of any lawfully enacted local ordinance.
- (E) All fireworks must be handled, stored, used, possessed and sold in accordance with all applicable federal, state and local laws.
- (F) Every vendor who sells fireworks described above in Section (B) shall post at the point of sale a copy of this ordinance.
- (G) A person lawfully possessing fireworks may use, ignite, fire or explode those items prior to 11:00 p.m. Any fireworks ignited, fired or exploded after 11 p.m. and until 9 a.m. the following day shall be a violation of this ordinance.

(H) Fireworks shall not be ignited or discharged from a motor vehicle and shall not be ignited or discharged on public property or on the property of another without the consent of the owner.

SECTION 2: SEVERABILITY CLAUSE

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

SECTION 3: PENALTY

Any person who violates the provisions of this ordinance shall be fined not more than one hundred dollars (\$100).


INTRODUCED, SECONDED, AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 5th day of June, 2018.

INTRODUCED, SECONDED AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 19 day of June, 2018.



DAN ISON
Shelby County Judge/Executive

Attest:


SUE CAROLE PERRY
Shelby County Clerk