



City of Morgantown
FIREWORKS ORDINANCE
Ordinance 2017-04

Whereas, The City of Morgantown desires to encourage residents to be respectful of neighborhoods and fellow residents,

Whereas, The City of Morgantown desires to limit the use of and times during which consumer fireworks can be discharged,

Whereas, it is in the best interest of the City to further regulate the use of fireworks displays,

Now therefore, be it ordained by the City of Morgantown, Kentucky as follows:

1. Title

This article shall be known and may be cited as the "fireworks enforcement code."

2. Definitions

The following words, terms and/or phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aerial or audible consumer fireworks shall mean those consumer fireworks described in KRS 227.702 (2) and (3) only.

Consumer fireworks shall have the same meaning as in KRS 227.702.

Fireworks shall have the same meaning as in KRS 227.700 except it shall not include those described in KRS 227.702 (1).

3. Use of Fireworks

The use of fireworks, including consumer fireworks, is prohibited except as set forth herein. The use of any fireworks other than consumer fireworks, including display fireworks as

defined in KRS 227.706, are subject to the applicable restrictions of state and federal law and are further prohibited at all times within the city without written approval of the City government unless section 4 applies.

4. Fireworks in City Limits

1. Fireworks and consumer fireworks shall not be used, ignited, fired, or exploded in the city limits of the City of Morgantown, Kentucky, except as follows:
2. Fireworks and consumer fireworks must be handled, stored, used, possessed, and sold in accordance with all applicable federal, state, and local law.
3. Fireworks and consumer fireworks may only be used, ignited, fired, or exploded between the hours of 10:00 a.m. on December 31st to midnight on January 1st, and also between the hours of 10:00 a.m. and midnight on the following dates or holidays: July 3rd, July 4th.
4. Notwithstanding any provision herein to the contrary, and regardless of the day of the week on which July 4th falls, persons may use, ignite, fire, or explode fireworks or consumer fireworks to celebrate Independence Day between the hours of 10:00 a.m. and midnight.
5. No person may use, ignite, fire, or explode any fireworks or consumer fireworks as defined in KRS 227.702 (2) and (3) if they are under the age of eighteen (18), or within two hundred (200) feet of any structure, motor vehicle (whether operational or non-operational), or any other person, or where the use of such places that person in violation of any other law, regulation or ordinance.
6. Fireworks and consumer fireworks may be used, ignited, fired, or exploded with express permission of the City of Morgantown via a permit at no cost to the individual applying. The permit will allow the use, ignition, firing, or explosion of fireworks for a single day not listed in section 4.3 and 4.4 of this ordinance between the hours of 10:00 a.m. and 10:00 p.m. No person or entity shall apply for more than one single permit per calendar year.

7. Criminal penalties

Any person convicted of violating section (4) of this article shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00).

First Reading: May 10, 2017

Second Reading: June 6, 2017

Mayor: _____

Attest: _____