

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 19-3 OF THE LEXINGTON CITY CODE; TO AMEND THE PERMISSABLE DATES FOR SALE OF FIREWORKS; TO REPEAL ORIGINAL SECTION 19-3, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

**Section 1.** That Section 19-3 of the Lexington City Code is hereby amended to read as follows:

Sec. 19-3 Fireworks--Possession and Sale.

It shall be unlawful for any person to have possession of, for sale or for any other purpose, to offer for sale, or to use, within the City, any fireworks of any kind, except, however, the display of fireworks as provided in Section 19-10, and except sparklers, vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color serial shells without explosive charges for the purpose of making a noise, color wheels, toy cap pistols and toy caps each of which does not contain more than twenty-five hundredths of a gram of explosive material. Such fireworks shall be used, or sold at retail, only on those dates of each year when sale of such fireworks is permitted by Section 28-1249 of the Revised Statutes of Nebraska and by Regulation of the State Fire Marshall.

**Section 2.** That original Section 19-3, together with all ordinances or sections of ordinances in conflict herewith is hereby repealed.

**Section 3.** That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

## NEW YEARS FIREWORKS ORDINANCE

This year the State of Nebraska passed a new law to permit the sale of fireworks for the last three days in December. We are asking the Lexington City Counsel to pass an ordinance to permit the sales and firing of fireworks for the period of December 29<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup>. We, as retailers of fireworks don't see the public buying a lot of smaller ticket items like firecrackers and novelty items to shoot off like they do on the 4<sup>th</sup> of July. We see it being more like the millineum when they came in and bought larger ticket items to shoot off at midnight to celebrate the New Year. We know this will bring in extra city sales revenue to Lexington. It will draw people in from the smaller communities around the area. Not only will they buy fireworks, but also stop to eat, buy some gas and do a little shopping. We did talk with a city official and they did say you always have those people that don't pick up after themselves. What we plan to do with our advertising is to ask people to be considerate of their neighbors and their communities and to please pick up after themselves.

We thank you for your time. We plan to attend the counsel meeting on August 24<sup>th</sup> to answer any questions that you might have.

Sincerely,

Jim and Gail Lauby

Darrell and Kathy Bliven

D.B.A.: Central Nebraska Wholesale Fireworks

Bernie and Pat Valish