

AN ORDINANCE PROHIBITING THE MANUFACTURING, STORAGE, SALE, OR FIRING, DISCHARGING, EXPLODING, OR SETTING OFF OF FIREWORKS WITHIN THE CORPORATE LIMITS OF HACKBERRY, DENTON COUNTY, TEXAS: PROVIDING FOR SEVERABILITY, PENALTY, EMERGENCY CLAUSE, AND EFFECTIVE DATE.

WHEREAS, in order to protect the life, health, property, and general welfare of the citizens of Hackberry, Texas, it is deemed necessary to regulate the manufacture, storage, sale, and exploding of fire works;
and

WHEREAS, the existing ordinance of the Town of Hackberry, Texas, providing for the regulation of fireworks is inadequate and in need of revision;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HACKBERRY, DENTON COUNTY, TEXAS:

SECTION I FIREWORKS

(a) Definition: The term "fireworks" shall mean and include any firecracker, torpedo, skyrocket, roman candle, sparkler, spit devil or other similar thing.

(b) Sale of Fireworks Prohibited: It shall be unlawful for any person, association of persons, firm or corporation to sell or offer for sale, either directly or indirectly, any type of fireworks within the corporate limits of the Town of Hackberry, Texas.

(c) Discharge of Fireworks Prohibited: It shall be unlawful for any person, association of persons, firm or corporation to discharge, or cause to be discharged, any fireworks within the Town of Hackberry, Texas.

(d) Manufacture or Storage of Fireworks Prohibited: It shall be unlawful for any person, association of persons, firm or corporation to manufacture or store fireworks within the corporate limits of the Town of Hackberry, Texas.

SECTION II SEVERABILITY

It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraph, sentences, clauses, and phrases,

of this Ordinance are separable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction. Such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance, since the same would have been enacted by the Board of Aldermen without the incorporation in this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or section.

SECTION III PENALTY

Any person who shall violate any of the provisions of this Ordinance or shall fail to comply therewith or with any of the requirements thereof, shall be deemed guilty of a misdemeanor, punishable by a fine of not less than twenty five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for the first day's violation and a fine of not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00) for each day's violation thereafter, each day constituting a separate offence.

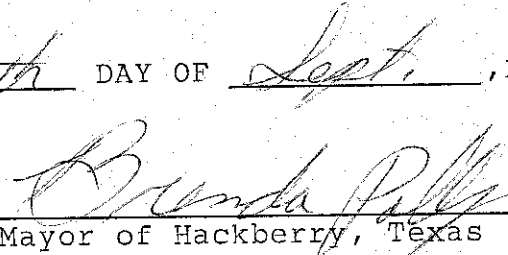
SECTION IV EMERGENCY

The fact that the Town is in immediate need of the relief afforded by the provisions of this Ordinance creates an emergency and imperative public necessity requiring and demanding that any and all rules requiring Ordinances to be read and repassed at more than one (1) meeting be suspended, and that this Ordinance take effect immediately upon its passage.

SECTION V EFFECTIVE DATE

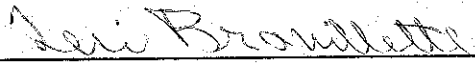
This Ordinance shall take effective immediately upon its being read and passed at one (1) regular Board of Aldermen meeting; and its being published one (1) time in the Town's designated newspaper, The Frisco Enterprise; and it is so ordained by the Board of Aldermen of the Town of Hackberry, Denton County, Texas.

PASSED AND APPROVED THIS THE 13th DAY OF Sept., 1988



Mayor of Hackberry, Texas

ATTEST:



City Secretary of Hackberry, Texas