

## ORDINANCE G-1307

AN ORDINANCE AMENDING THE SALE, STORAGE, OR DISCHARGE OF FIREWORKS IN ORDINANCE 210.230, ENTITLED "SALE, STORAGE, OR DISCHARGE OF ARTICLE IV, ENTITLED "FIREWORKS" OF CHAPTER 210, ENTITLED "FIRE PREVENTION" OF TITLE II, ENTITLED PUBLIC HEALTH, SAFETY, AND WELFARE" OF THE ORDINANCES OF THE CITY OF JUNCTION CITY

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CTY, KANSAS:

SECTION 1: Section 210.230 – "Sale, Storage, or Discharge of Fireworks" of the Code of Ordinances of the City of Junction City, Kansas is hereby amended to read as follows:

### SECTION 210.230 – SALE, STORAGE, OR DISCHARGE OF FIREWORKS

- A. *Fireworks*. Except as otherwise provided in this ordinance, it is unlawful for any person or entity to sell, store, or discharge fireworks within the city limits of Junction City, Kansas. Term "fireworks" as used in the Code of Ordinances of the City of Junction City shall have the definition set forth in the regulations of the Fire Marshal of the State of Kansas.
- B. *Sale and Storage*. Fireworks may be sold and stored pursuant to rules and regulations established by the Chief of the Junction City Fire Department ("Fire Chief"), and subject to the obtaining the Special Event Permit from the Fire Chief as provided in Chapter 655 of the Code of Ordinances of the City of Junction City, Kansas.
  - 1. Fireworks shall only be sold in the City when it is legal and permitted to discharge them
  - 2. Fireworks for sale or display may be stored in the City of Junction City, Kansas two days prior and two days following the period allowed for discharge and sale of fireworks.
- C. *Discharge*. Discharge of fireworks within the City of Junction City is prohibited at any time, except as follows:
  - 1. Fireworks that are legal to be sold within the City of Junction City, Kansas, may be discharged on private property from and including July first (1<sup>st</sup>) to and including July fourth (4<sup>th</sup>), during the following times:
  - 2. 11:00 a.m. to 11:00 p.m.
  - 3. This subsection does not apply to, and fireworks may not be discharged, on public streets, parks, other public property, or where expressly prohibited by posted signs.

4. Fireworks may not be discharged any place within three hundred (300) feet of Heritage Park in any direction during the entire period of time of the "Freedom Fest" celebration or other such similar event or festival, at which location and time no fireworks discharge is permitted.
- D. Fireworks that are legal to be sold within the City of Junction City, Kansas may be discharged on public or private property at public events pursuant to a permit approved by both the Fire Chief and Chief of Police. The applicant must apply at least twenty (20) days prior to the event. No permit shall be issued unless the applicant furnishes a certificate of public liability insurance for the display in a minimum amount of one million dollars (\$1,000,000). The application shall clearly state:
1. The name of the applicant.
  2. The public event for which the display is planned.
  3. The location of the display including a diagram or sketch of the grounds on which the exhibition is to be held showing the point at which the fireworks are to be discharge, the location of all buildings, improvements, and public streets within two hundred (200) yards of the lines behind which the public will be restrained.
  4. The date and time of the display, including any rain dates.
  5. The nature and kind of fireworks to be used.
  6. The name of the person or entity that will make the actual discharge of the fireworks and a copy of their Alcohol, Tobacco, Firearms and Explosives permit for possession of Division 1.3G Fireworks as well as current copies of Public Display Operators licenses issued by the Kansas State Fire Marshall.
  7. The number, size and kinds of fireworks to be discharged, including their National Fire Protection Association (NFPA) designation.
  8. The Fire Chief or Chief of Police may impose conditions, requirements or restrictions when public safety, or the general welfare of the public is a matter of concern based on the venue, location, date, time, or expected volume of spectators.
- E. *Aerial Luminaries Prohibited*. It shall be unlawful to sell, ignite, or otherwise use an aerial luminary, commonly known as a sky lantern or a floating lantern, within the City of Junction City. As used in this section, "aerial luminary" refers to airborne paper objects containing a device for fuel that heats air from the inside causing it to rise into the air and remain airborne until extinguished, or any other unmanned free floating device which includes a flame or other heating device to heat air as a lifting mechanism.
- F. *Penalties*. Any violation of this section shall constitute an unclassified misdemeanor and be punishable by a fine not to exceed five hundred dollars (\$500.00), a jail sentence of up to thirty (30) days in the county

jail or any combination of the two (2) as the court may deem appropriate.

SECTION 2. All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall be effective upon publication as required by law.

Passed and adopted by the Governing Body of the City of Junction City, Kansas this 3rd day of September, 2024.



**CITY OF JUNCTION CITY, KANSAS**

A handwritten signature in cursive script, reading "Pat Landes", is written over a horizontal line.

Pat Landes  
Mayor

ATTEST: (Seal)

A handwritten signature in cursive script, reading "Ariana Lorenzo", is written over a horizontal line.

Ariana Lorenzo, City Clerk