

## Chapter 56 - Fireworks

56.010. Definitions. As used in this Chapter, unless clearly indicated otherwise, the following terms shall mean:

1. Consumer Fireworks. Explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, 1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation.

2. Fireworks Season. The period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks.

3. Person. Any corporation, association, partnership, or individual or group thereof.

4. Sale. An exchange of articles of fireworks for money, including barter, exchange, gift, or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, co-partnership, or one or more individuals.

5. Seasonal retailer. A seasonal retailer is any person within the City engaged in the business of making sales of consumer fireworks during a fireworks season as defined in Section 56.020.

56.020. Sale of fireworks prohibited when. It shall be unlawful for any person to permit or conduct the sale of fireworks within the City limits of Holts Summit, Missouri, except during the following dates: the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that retailers may be permitted to sell consumer fireworks.

56.030. Business license required. Any person who permits or offers the sale of fireworks within the City limits during the periods authorized in Section 56.020 shall first obtain a business license from the City Clerk pursuant to the provisions of Chapter 54 of the Holts Summit, Missouri City Code.

56.040. Use or discharge of fireworks. It shall be unlawful for any person to use or discharge fireworks within the City limits of Holts Summit, Missouri, except during the following dates and times:

<b>Dates that the discharge of fireworks are allowed</b>	<b>Times that the discharge of fireworks are allowed</b>
From June 20 through June 30	6 p.m. to 10 p.m.
From July 1 through July 3	1 p.m. to 11 p.m.
On July 4th	10 a.m. to 12 a.m.
From July 5 through July 10	6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on July 11</i>	
From December 20 through December 30	6 p.m. to 10 p.m.
On December 31 and January 1	10 p.m. to 1 a.m.
Day of January 1 and January 2	From 6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on January 3</i>	

Any vendor issued a license to sell fireworks must provide the buyer, with a notice on neon colored paper as set out in appendix A, which is attached to this Code, noting the dates and times that the buyer may use the fireworks inside the City limits of Holts Summit, Missouri. In addition, all vendors shall place signs throughout the tent set out in appendix B, which is attached to this Code, notifying the buyers of the dates and times that fireworks may be used inside the City limits of Holts Summit and that a violation of such use may result in a fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding ninety (90) days or by both such fine and imprisonment.

56.050. Restrictions on use of fireworks.

1. It shall be unlawful to shoot fireworks within three hundred (300) feet of stored flammable gasoline; one hundred (100) feet where fireworks are stored or sold; or six hundred (600) feet from a church or school.

2. It shall be unlawful to shoot fireworks within any structure, on property or onto property not owned by the person, into or at a motorized vehicle, or at or near any person, group of people, or animal.

56.060. Parents responsible for minors. It shall be unlawful for the parent or guardian of a minor under the age of seventeen (17) years to permit such minor to violate the fireworks provisions established in this Chapter.

56.070      Jobber License.

Notwithstanding any other provision of this Chapter, to the contrary the City of Holts Summit may issue a “Jobber” license to anyone who has obtained a state of Missouri Jobber License.

1.        "Jobber" is any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December.

2.        All requirements of Chapter 320 of the Missouri Revised Statutes and all regulations promulgated thereunder, as currently existing or as hereafter amended must be followed at all times for anyone possessing a “Jobber License” from the City of Holts Summit.

3.        The cost of said license shall be \$200.00 per year.

4.        All notices required to be posted by seasonal fireworks sales locations by this chapter shall be posted by “Jobbers”.

5.        This section 56.070 shall lapse and be of no further force or effect after December 1, 2010.

6.        Each Jobber license issued by the City of Holts Summit shall commence on January 1 and expire on December 31 of each year.

7.        Any business operating under a Jobber License shall be located in a Commercial Zone and shall not adjourn a residence. **Ord. #2039 (07-14-10)**

**APPENDIX A**

It shall be unlawful for any person to use or discharge fireworks within the City limits of Holts Summit, Missouri, except during the following dates and times:

<b>Dates that the discharge of fireworks are allowed</b>	<b>Times that the discharge of fireworks are allowed</b>
From June 20 through June 30	6 p.m. to 10 p.m.
From July 1 through July 3	1 p.m. to 11 p.m.
On July 4th	10 a.m. to 12 a.m.
From July 5 through July 10	6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on July 11</i>	
From December 20 through December 30	6 p.m. to 10 p.m.
On December 31 and January 1	10 p.m. to 1 a.m.
Day of January 1 and January 2	From 6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on January 3</i>	

A violation of the above dates and times may result in a fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding ninety (90) days or by both such fine and imprisonment.

APPENDIX B

**It shall be unlawful for any person to use or discharge fireworks within the City limits of Holts Summit, Missouri, except during the following dates and times:**

<b>Dates that the discharge of fireworks are allowed</b>	<b>Times that the discharge of fireworks are allowed</b>
From <b>June 20</b> through <b>June 30</b>	6 p.m. to 10 p.m.
From <b>July 1</b> through <b>July 3</b>	1 p.m. to 11 p.m.
On <b>July 4th</b>	10 a.m. to 12 a.m.
From <b>July 5</b> through <b>July 10</b>	6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on July 11</i>	
From <b>December 20</b> through <b>December 30</b>	6 p.m. to 10 p.m.
On <b>December 31</b> and <b>January 1</b>	10 p.m. to 1 a.m.
Day of <b>January 1</b> and <b>January 2</b>	From 6 p.m. to 10 p.m.
<i>Fireworks are no longer allowed on January 3</i>	

A violation of the above dates and times may result in a fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding ninety (90) days or by both such fine and imprisonment.