

CITY OF GRETNA, NEBRASKA

ORDINANCE NO. 2039

AN ORDINANCE AMENDING SECTIONS 8-501, 8-502, 8-503, AND 8-504(A) AND (B) OF THE CITY OF GRETNA MUNICIPAL CODE REGARDING FIREWORKS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRETNA, SARPY COUNTY, NEBRASKA.

Section 1. Section 8-501 of the Municipal Code of the City of Gretna is hereby amended so as to provide as follows:

SECTION 8-501: FIREWORKS DEFINED

“Fireworks” shall mean any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation and which meets the definition of consumer or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations. (Neb. Rev. Stat. §28-1241)

Section 2. Section 8-502 of the Municipal Code of the City of Gretna is hereby amended so as to provide as follows:

SECTION 8-502: PERMITTED FIREWORKS

A. It shall be unlawful for any person to ignite or cause to be exploded fireworks or firecrackers of any description whatsoever, except consumer fireworks as provided by Neb. Rev. Stat. § 28-1241(6).

B. The provisions of this section shall not apply to any fireworks to be used for purpose of public exhibitions or display under authorization of the City Council or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal. (Neb. Rev. Stat. §§17-556, 28-1241, 28-1244, 28-1245) (Am. by Ord. No. 367, 9/06/88)

Section 3. Section 8-503 of the Municipal Code of the City of Gretna is hereby amended so as to provide as follows:

SECTION 8-503: THROWING FIREWORKS

It shall be unlawful for any person to throw any firework or any object which explodes upon contact with another object from or into a motor vehicle; onto any street, highway, or sidewalk; at or near any person; into any building; or into or at any group of persons. (Neb. Rev. Stat. §§ 17-556, 28-1242)

Section 4. Sections 8-504(A) and (B) of the Municipal Code of the City of Gretna are hereby amended so as to provide as follows:

SECTION 8-504: RETAIL SALES; PERMITS/LICENSES; RESTRICTIONS ON DISCHARGE; VIOLATION

A. *Permissible Fireworks Designated.* "Permissible fireworks" shall mean only consumer fireworks as provided by Neb. Rev. Stat. § 28-1241(6). B. *Fireworks Restricted.* The use of any fireworks increases the risk of danger to the public health and safety. The City, however, recognizes the historic role of fireworks as a means of celebration within the United States and Nebraska and therefore allows the use of permissible fireworks upon compliance with these provisions, which are enacted to provide for the public health and safety. No person shall possess, sell, offer for sale, bring into the zoning jurisdiction of the City or discharge any pyrotechnics commonly known as "fireworks" other than permissible fireworks. Permissible fireworks may not be discharged except from June 25 through July 4 and December 29 through December 31 and only during the hours of 10:00 a.m. through 10:00 p.m., except that on July 4 and December 31, permissible fireworks may be discharged from 10:00 a.m. through 12:00 midnight. The City Council may approve a fireworks display permit for special events, which permit shall specify the place, hours of display, fire protection requirements and public liability insurance limits. In no event shall the possession, consumption, sale or use of alcoholic beverages be permitted on the premises designated for a special fireworks display.


Section 5. The previous Sections 8-501, 8-502, 8-503, and 8-504(A) and (B) of the Municipal Code of the City of Gretna are hereby repealed, and the foregoing Sections 1, 2, 3, and 4 of this Ordinance shall be codified in the City of Gretna Municipal Code as Sections 8-501, 8-502, 8-503, and 8-504(A) and (B) respectively.

Section 6. This Ordinance shall be in full force and take effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS 5th DAY OF March, 2019.

Attest:

CITY OF GRETNA, NEBRASKA



Tammy L. Tisdall, City Clerk, CMC



James W. Timmerman, Mayor