

An ordinance of the Haines Borough amending Haines Borough Code Title 8, Section 8.16.025(A) to permit fireworks use at Borough port facilities by licensed pyrotechnicians under contract to the Borough.

BE IT ENACTED BY THE ASSEMBLY OF THE HAINES BOROUGH, ALASKA:

Sec. 1. Classification. This ordinance is of a permanent nature and shall be codified into Haines Borough Code.

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Sec. 4. Purpose. This ordinance amends Haines Borough Code Title 8, Section 8.16.025(A) to permit fireworks use at Borough port facilities by licensed pyrotechnicians under contract to the Borough.

NOTE: **BOLDED** AND UNDERLINED ITEMS ARE TO BE ADDED

8.16.010 Definitions.

"Fireworks," as used in this chapter, means all firecrackers, torpedoes, Roman candles, rockets, sky bombs, sky rockets, and any other articles that are commonly sold as fireworks. The term "fireworks" does not include commonly used safety devices so long as such devices are actually sold or used only for safety purposes; nor does the term "fireworks" include model rockets that are properly designed for aerodynamic stability or used for educational or hobby purposes; nor does the term "fireworks" include sparklers or caps.

8.16.015 Use of fireworks prohibited.

Except as permitted under HBC 8.16.030, it is unlawful, within the limits of the townsite service area, to ignite, discharge, fire, or cause to be ignited, discharged, or fired, any firework that makes a report of loud noise or ascends into the air by its own power.

8.16.020 Sale prohibited.

It is unlawful to offer for sale, sell, bargain, or give to any person any fireworks of any kind or description within the pre-1999 annexation limits of the townsite service area. (Ord. 04-04-054)

8.16.025 Use of fireworks near port facilities prohibited.

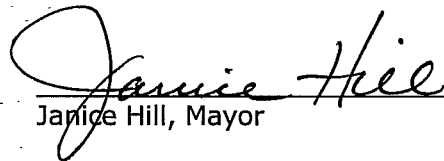
A. It is unlawful for any **person other than a licensed pyrotechnician who has a contract with the Borough and their agents and employees to discharge** fireworks ~~to be discharged~~ in, on, under, or within 250 feet of any of the borough's port facilities, including, but not limited to, Letnikof Cove, Port Chilkoot Dock, Lutak Dock, and the boat harbor.

B. A person violating the provisions of, or failing to comply with the prohibitions of, this chapter is guilty of a violation, and unless otherwise specifically provided, shall be punished by a fine of not more than \$300.00.

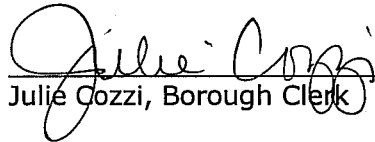
8.16.030 Fireworks displays – Permitted.

The fire chief is authorized to grant permission for a fireworks display for any special occasion or reason within the townsite service area. No such display shall be given without first securing permission from the chief of police and establishing to the satisfaction of the chief of police that the same will be conducted in a manner ensuring the safety of all persons watching the same and the property in the immediate vicinity of the display.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
22nd DAY OF JUNE, 2010.


Janice Hill, Mayor

ATTEST:


Julie Cozzi, Borough Clerk



Introduced: 05/25/10
Date of First Public Hearing: 06/08/10
Date of Second Public Hearing: 06/22/10