

ORDINANCE NO. 2019-21

**AN ORDINANCE AMENDING PARTS OF CITY CODE TITLE VII,  
CHAPTER 7: FIREWORKS REGULATED**

**WHEREAS**, the City Code in Title VII, Chapter 7 provides for the regulation of the retail sale and discharge of fireworks in the City limits; and

**WHEREAS**, the City Council wishes to amend Title VII, Chapter 7 based on experience in the past months dealing with its regulation of the retail sale and discharge of fireworks;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE**, as follows:

**Section 1.** City Code 7-702 (1) is amended with the prior language repealed and replaced as follows:

1. The storage for resale and retail sale of fireworks is permitted only on lots zoned to allow retail sales excluding the downtown zones as identified §14-203(8)(d) located adjoining U. S. Highway 321 or U. S. Highway 411 or State Route 33 in the City of Maryville; subject to additional zoning restrictions.

**Section 2.** City Code 7-7-2 (2) is amended with the prior language repealed and replaced as follows:

2. Any person, firm, partnership, or corporation desiring to store and sell at retail fireworks within the corporate limits of the City of Maryville shall make application for a permit to do so on forms provided for that purpose by the City Recorder. The application shall be accompanied by a non-refundable fee of \$250.00. No permit shall be issued for any person under eighteen years of age. All permits shall be for the calendar year and any fraction thereof except permits will not expire until January 2<sup>nd</sup> of the following year. The application shall include the name of the person making the application; the firm, partnership or corporation he represents; the business address of both the applicant and the partnership, firm or corporation he represents; the address and description of the premises where the storage and sale of fireworks is contemplated; sales tax numbers and any other information the City Recorder deems pertinent to aid in the investigation of the application. The City Recorder shall refer the applicant to the Fire Chief or his designee who shall interview the applicant if desired and inspect the premises on which the storage and sale of fireworks is contemplated and make whatever additional investigation of the applicant or premises he deems appropriate to ensure that the premises and its operation by the applicant will not constitute a fire, explosion, or similar safety hazard. Additionally, the application will be reviewed by Development Services to ensure compliance with zoning, codes, ADA and/or other requirements. If the City Staff approves the application, the City Recorder shall issue a permit. The permit shall not be transferable to any other person, firm, partnership, corporation or premise.

**Section 3.** City Code 7-702 (7) is amended with the prior language repealed and replaced as follows:

7. No fireworks shall be sold at retail at any location where paints, oils or varnishes for sale or use unless kept in the original unbroken container.

**Section 4.** A new City Code Title VII, Chapter 7, 7-702(11) is hereby adopted as follows:

11. All approved fireworks sales vendors are responsible for complying with current City ordinances pertaining to Signage and will be required to meet with Development Services prior to set up.

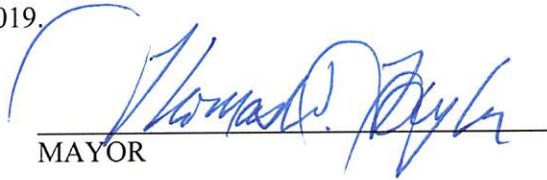
**Section 5.** City Code 7-703 (1) is hereby amended with the prior language repealed and replaced as follows:

1. Fireworks may be fired, set off, shot, discharged or exploded on a seasonal basis from July 3-July 4 and from December 31-January 1 and at no other time

**Section 6.** All remaining provisions of Title VII, Chapter 7 not expressly repealed or amended herein remain in full force and effect.

**Section 7.** This ordinance shall be effective upon final passage, the public welfare requiring it.

Adopted this the 5<sup>th</sup> day of November, 2019.

  
MAYOR


ATTEST:

  
City Recorder

APPROVED AS TO FORM:

  
City Attorney

Passed 1<sup>st</sup> reading this 1<sup>st</sup> day of October, 2019 , 2019.  
City Recorder

Passed 2<sup>nd</sup> reading this 5<sup>th</sup> day of November, 2019 , 2019.  
City Recorder