

**AN ORDINANCE AMENDING SECTIONS 10-91, 10-92 AND 10-93
OF THE FORT SMITH MUNICIPAL CODE**

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

SECTION 1: Section 10-91 of the Fort Smith Municipal Code is amended to state as follows:

Sec. 10-91. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fireworks means and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of unmanned balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, bottle rockets, roman candles, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance; except the term "fireworks" shall not include model rockets and model rocket engines designed, sold and used for the purpose of propelling recoverable aero models and shall not include toy pistols, toy canes, toy guns or other devices in which paper and/or plastic caps manufactured in accordance with the United States Department of Transportation regulations for packing and shipping of toy paper and/or plastic caps are used and toy paper and/or plastic caps manufactured as provided therein, the use of which shall be permitted at all times.

SECTION 1: Section 10-92 of the Fort Smith Municipal Code is amended to state as follows:

Sec 10-92. Sale and Use regulated.

The sale, offer for sale, exposure for sale, sell at retail, or keeping with intent to sell at retail any fireworks is set forth in Section 27-708. Except as hereinafter provided, no person shall use or explode any fireworks. The city administrator may adopt reasonable rules and regulations for the granting of permits for supervised displays of fireworks by municipalities, fair associations, amusement parks and other organizations or groups of individuals. Such permits may be granted upon application to the city administrator and after approval of the local and state fire marshals. After such privilege shall have been granted use of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

SECTION 2: Section 10-93 of the Fort Smith Municipal Code is amended to state as follows:

Sec. 10-93. Removal of illegal fireworks.

The city administrator or his designated agent shall seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks or combustibles stored or held in violation of this article.

SECTION 3: The codifier shall codify the above adopted provisions of Sections 10-91, 10-92 and 10-93 of the Fort Smith Municipal Code by amending the identified section of the same.

PASSED AND APPROVED THIS 6th DAY OF November, 2024.

ATTEST:

APPROVED:

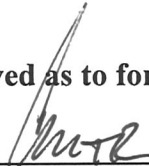


City Clerk



Mayor

Approved as to form:



Publish One Time