

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, PART 10, "OFFENSES AND CRIMES," CHAPTER 3, "OFFENSES AGAINST THE PUBLIC," OF THE LUTHER CODE OF ORDINANCES, AMENDING SECTION 10-303(B),(E) AND (F), "FIREWORKS REGULATED; LICENSES; SALE AND DISCHARGE RESTRICTED," SAID AMENDMENT TO CHANGE THE DATES TO OBTAIN A PERMIT FOR FIREWORKS AND TO USE FIREWORKS AND PROVIDING AN EXCEPTION FOR PUBLIC DISPLAYS; REPEALING ALL PRIOR ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE TRUSTEES OF THE TOWN OF LUTHER, AS FOLLOWS:

SECTION I. Section 10-303(B) of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

Fireworks stands may be licensed between June 20 and July 4 only. In addition to paying a license fee in such sum as set by the Town Board of Trustees, before the license is issued, the applicant shall pay a deposit in such sum as required by the Board guaranteeing that the premises shall be cleaned and all paper, trash, and debris shall be completely removed by the licensee. If the premises are not cleaned, the money shall be forfeited and the Town shall be responsible for cleaning the area. The above-referenced dates shall be subject to change following written approval by the Mayor, the Fire Chief, and the Police Chief. Further, this subsection D shall not apply to public fireworks displays sponsored or hosted by the Town of Luther.

SECTION II. Section 10-303(D) of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

Each fireworks stand shall post notice, in a conspicuous place, that it is a violation of the ordinances of the town to discharge any fireworks within the town limits at any time, except for June 30-July 4 of each calendar year at the following times:

- a. Sunday through Thursday from 10:00 a.m. to 10:00 p.m.
- b. Friday and Saturday from 10:00 a.m. to midnight.

The above-referenced dates shall be subject to change following written approval by the Mayor, the Fire Chief, and the Police Chief. Further, this subsection D shall not apply to public fireworks displays sponsored or hosted by the Town of Luther.

SECTION III. Section 10-303(E) of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby amended to read as follows:

The use and/or discharge of fireworks within the town limits is prohibited except for June 30-July 4 of each calendar year at the following times:

- a. Sunday through Thursday from 10:00 a.m. to 10:00 p.m.
- b. Friday and Saturday from 10:00 a.m. to midnight.

The above-referenced dates shall be subject to change following written approval by the Mayor, the Fire Chief, and the Police Chief. Further, this subsection E shall not apply to public fireworks displays sponsored or hosted by the Town of Luther.

SECTION IV. If any part or parts of this ordinance are deemed unconstitutional, invalid, or ineffective, the remaining portion shall not be affected, but shall remain in full force and effect.

SECTION V. All ordinances in conflict herewith are hereby repealed.

SECTION VI. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the Town of Luther and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED and the Emergency Clause ruled upon separately this 25th day of April, 2024.


MAYOR WILLIAM TERRY ARPS

ATTEST:


Town Clerk



Approved as to form and legality:


Town Attorney

