

**ORDINANCE NO. 728**

**AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER VII OF THE CODE OF THE CITY OF OGDEN, KANSAS, PERTAINING TO PERMITS TO SELL FIREWORKS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OGDEN, KANSAS:**

**Section 1. Amendment.** That Section 7-305 of the Code of the City of Ogden, Kansas, is hereby amended to read as follows:

**7-305 PERMIT FOR SALE OF FIREWORKS REQUIRED; FEE, ISSUANCE.**

- (a) It is unlawful for any person to sell, display for sale, offer to sell or give away any type of fireworks within the city without first paying a fee of \$250.00, per establishment or premises, to the city clerk and applying for and securing a permit therefor on or before June 25<sup>th</sup> of the permit year. The owner of the fireworks operation shall submit an application for a permit on the form provided by the city and shall provide a copy of the State of Kansas Distributors License indicating from whom the fireworks will be purchased.
- (b) Non-profit organizations providing benefit to the citizens of the City may apply to the Governing Body for a waiver of the permit fee. The determination of whether to waive such fee shall be made at the sole discretion of the Governing Body.
- (c) No permit shall be issued for any location where retail sales are not permitted under the zoning laws. Prior to the issuance of the permit, an inspection will be made of the applicant's facility for compliance with this chapter and other pertinent laws, and no permit shall be issued for any premises not in compliance with such laws. Upon qualifying for the permit, the permittee shall prominently display the same at the establishment or premises where fireworks are to be sold or displayed for sale. The permit fee shall not be refundable upon failure to qualify for the permit or withdrawal or cancellation of the application or permit.

**Section 2. Effective Date.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND ADOPTED THIS 15<sup>TH</sup> DAY OF AUGUST 2018, BY THE GOVERNING BODY OF THE CITY OF OGDEN, KANSAS.**

**ATTEST:**

  
**DAVID WARD, City Clerk**

  
**ROBERT PENCE**  
Mayor

