

City of Minden

P.O. Box 239, 325 N. Colorado
Minden, Nebraska 68959

phone 308.832.1820
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www.MindenNebraska.org



ORDINANCE NO. 1217

AN ORDINANCE TO AMEND CHAPTER 35 OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTIONS 35-3 and 35-5, AS THE SAME RELATES TO FIREWORKS; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Passed and approved this 20th day of March, 2017.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA.

Section 1. That Section 35-3 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be and the same is hereby amended to read as follows:

Section 35-3 Permit to sell permissible fireworks.

It shall be unlawful for any person to sell or offer for sale permissible fireworks in the city without first having made application for and received a permit to do so from the city clerk. Such permit shall cost \$200.00 and the funds received from the permits will be placed in the fire prevention account of the fire department as a line item for fireworks safety and education training programs and material. Applicants must pay an additional \$200.00 deposit by separate check. This deposit will be refundable if the temporary stand is cleaned up and removed by 5:00 p.m. July 9 of that calendar year.

Before any license shall be issued each applicant shall first file a copy of the Nebraska Fireworks Permit issued by the Nebraska Fire Marshal and a copy of their Nebraska Sales Tax Certificate. Applicants must also provide valid liability insurance policy of at least one million dollars (\$1,000,000) naming the City as an additional insured party.

The permit to sell permissible fireworks shall at all time be displayed at the place of business of the holder thereof. Applicants shall also pay an occupation tax. Such permits shall not be transferable.

(C.O. Ord No. 1217, 03/20/2017)

Section 2. That Section 35-5 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be and the same is hereby amended to read as follows:

Section 35-5 Temporary fireworks stands

(a) Any person having obtained a permit to sell permissible fireworks may sell or offer for sale such fireworks only from a temporary stand or enclosure erected or placed on real estate for that purpose. No fireworks shall be sold from permanent buildings or structures in the city.

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(b) If fireworks are to be sold from a temporary stand or enclosure, such stand or enclosure shall be of wood or steel frame construction covered with metal or wood.

(c) Any temporary enclosure or stand shall be permitted only in those areas of the city zoned for business or manufacturing, and only after a permit is obtained for the sale of permitted fireworks.

(d) Such temporary enclosures or stands shall be permitted to remain on real estate where permissible fireworks are sold for only the period beginning on June 25 through and including July 9 of each year.

(e) Any such temporary stand or enclosure shall not be located closer than 25 feet from any building, and at least 100 feet from any station where gasoline and oil for motor vehicles is sold. Such temporary stand or enclosure shall not exceed 400 square feet in size.

(f) Only approved electric space heaters with tip-over safety switches may be used for heating. A minimum distance of three feet of clear space between the face of the space heater to fireworks and other combustible materials must be maintained.

(C.O. Ord No. 1217, 03/20/2017)

Section 3. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 4. This ordinance shall be known as Ordinance No. 1217 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 20th day of March, 2017.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)