

CHAPTER 4

FIREWORKS PROHIBITED

SECTION

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7-401. Fireworks prohibited. The manufacture, distribution, sale, storage, possession, use, or discharge of any fireworks, as defined in 402 of this chapter, is expressly prohibited within the corporate limits of the City of Paris, Tennessee, pursuant to Tennessee Code Annotated, Section 53-3016, except as provided for in 7-501 et seq (Ord. #619, 04/04/85).

Provided, however, that any retail fireworks business located outside the corporate limits of the City of Paris whose premises is subsequently brought into the corporate limits of the City of Paris by annexation may continue the retail sale of fireworks at the same business location under the following terms and conditions:

- A. If the owner of the real property at the time of annexation subsequently sells the real property where the retail fireworks business is located, then retail fireworks sales at the annexed location shall be prohibited after such sale.
- B. If the retail fireworks business owner operating at the annexed location sells, leases, or otherwise transfers the retail fireworks business to another then retail fireworks sales at the annexed location shall be prohibited after such event.
- C. If the retail fireworks business at the annexed location is not operated for a continuous period of twelve (12) months at the annexed location then retail fireworks sales at the annexed location shall be prohibited in the future (Ord. #1061, 6/19/06).

7-402. Definition. Fireworks mean and include any combustible or explosive composition, or any substance or combination of substances, or device 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, firecrackers, torpedoes, skyrockets, Roman candles, bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing an explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of average of .25 of a grain of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

7-403. Exceptions to application. Nothing in this chapter shall be construed as applying to the manufacture, storage, sale, or use of signals necessary for the safe operation of railroads or other classes of public or private transportation of illuminating devices for photographs use, nor as applying to the military or naval forces of the United States, or of this state or use of blank cartridges for ceremonial, theatrical, or athletic events, nor as applying to the transportation, sale or use of fireworks solely for agricultural purposes, providing the purchaser shall first secure a written permit to purchase and use fireworks for agricultural purposes only from the State Fire Marshal, after approval of the county agricultural agent of the county in which said fireworks are to be used and said fireworks must at all times be kept in possession of the farmer to whom the permit is issued. Such

permits and fireworks shall not be transferable. Items sold for agricultural purposes shall be limited to those items that are **legal for retail and use within the State of Tennessee.**

7-404. Seizure and destruction of fireworks. The Police Department or Fire Marshal of the City of Paris, Tennessee, shall be authorized to seize as contraband any fireworks as defined in 7-402 which are sold, displayed, used, possessed, or discharged in violation of this ordinance. The fire marshal is authorized to destroy such fireworks so seized.

7-405. Penalties. Any individual, firm, partnership, or corporation that violates any provision of this ordinance shall be guilty of a misdemeanor (Ord. #536, 08/02/79).