

## Instructions for Obtaining a Firework's Permit in the City of Springdale, Arkansas

1. Complete application located in the City Clerk's Office at 201 Spring Street. (479-750-8118)
2. Take the application to the Planning Department, 2<sup>nd</sup> floor of the City Administration Building, to verify zoning of your location **before signing a lease**. The location has to be in a C-2, C-5, C-6, or A-1 zone provided the A-1 property has frontage on a federal or state highway to allow the sale of fireworks. You may also call 479-750-8150 to verify zoning.
3. Obtain \$1 Million Premises Liability Insurance from a licensed insurance company with the City of Springdale named on the insurance certificate.
4. Obtain written proof from the property owner consenting to the operation of a temporary fireworks stand (the lease will be sufficient).
5. Attach a copy of the Arkansas Sales & Use Tax Permit.
6. Attach fee of \$500.00 for each location.
7. Purchase the permit from the City Clerk's Office. Permits run from June 28<sup>th</sup> through July 5<sup>th</sup> of any year.

### APPLICANT'S RESPONSIBILITY:

Contact the City of Springdale Fire Marshal at 479-751-4510. The Fire Marshal must approve the exact location of the tent and ensure compliance with city ordinances and fire code requirements (see fire inspection guide attached). All requirements must be met before sales to the public are allowed.

**APPLICATION FOR PERMIT TO SELL FIREWORKS  
IN THE CITY OF SPRINGDALE, ARKANSAS  
JUNE 28<sup>TH</sup> THROUGH JULY 5<sup>TH</sup>**

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Arkansas Sales & Use Tax Number: \_\_\_\_\_

(Attach a copy of the State issued Sales & Use Tax Permit)

Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Physical Address/Location of Fireworks Stand: \_\_\_\_\_

Owner of Property: \_\_\_\_\_

**NOTE TO APPLICANT:** Prior to the permit being issued, the following must be provided to the City Clerk:

1. \_\_\_\_\_ Proof that zoning classification of property is C-2, C-5, C-6 or A-1 zone provided the A-1 property has frontage on a Federal or State Highway (verify zoning in the Planning Department);
2. \_\_\_\_\_ Attach proof of \$1 million premises liability insurance provided by a licensed insurance company;
3. \_\_\_\_\_ If property is not owned by applicant attach written consent from the property owner;
4. \_\_\_\_\_ \$500.00 Fee (Attach copy of receipt);
5. \_\_\_\_\_ Grading Permit Required (yes or no)

I, the applicant named above, acknowledge that all the above information is true and correct to the best of my knowledge and belief. I further acknowledge that I have received a copy of Ordinance Numbers 3210, 3339, 3689, 4131 and 4791 governing the sale of fireworks, and I agree if a permit is issued to abide by all terms set out in the ordinances.

By signing below I acknowledge that I have received the Fire Code & Safety requirements for fireworks stands. The applicant understands and will abide by the Fire Codes, the State Statutes and the City Ordinance requirements.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPLICANT'S RESPONSIBILITY:** Contact the Fire Marshal at 479-751-4510

1. \_\_\_\_\_ Proof that property has been inspected and approved by Springdale Fire Department prior to sales to the public.

**ORIGINAL COPY TO APPLICANT; COPIES NEED TO BE  
DISTRIBUTED TO THE FOLLOWING DEPARTMENTS: CITY  
CLERK, FIRE DEPARTMENT, DISPATCH, AND CODE  
ENFORCEMENT.**



## **Requirements for Fireworks Stands in the City of Springdale**

The retail sales of fireworks shall comply with requirements as set forth in the 2012 Arkansas Fire Prevention Code (2012 International Fire Code Vol. 1, Fire with Arkansas amendments).

Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11) may be sold in the city between June 28th and July 5th of any year, subject to the provisions set out herein.

No person under the age of 16 shall be allowed to purchase fireworks within the city.

### **Permit Required**

Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the fire marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2012 International Fire Code and the 2012 Arkansas Fire Prevention Code, as adopted by the city.

### **Bottle Rockets**

All locations where fireworks are sold within the city shall post a sign, visible to the public, which states, "**The discharge of bottle rockets or fireworks that travel on a stick is prohibited in the City of Springdale.**"

### **Sky Lanterns**

The sale and the use of sky lanterns are prohibited in the City of Springdale.

### **Structures (tents)**

No fireworks shall be sold or stored within a permanent structure of the city. Tents or canopies and their appurtenances shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. Documentation of structural stability shall be furnished to the fire code official on request. Tents or canopies shall be composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701. Tents or canopies shall have a permanently affixed label bearing the identification of size, and fabric or material type.

**Location**

No fireworks stand shall be located anywhere within the city, except in a C-2, C-5, C-6 or A-1 zone provided the A-1 property has frontage on a federal or state highway.

Tents or canopies shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines.

Tents or canopies shall not be located within 250 feet of a fuel dispensing facility.

No fireworks stand shall be located within and all fireworks stands must have at least 50 foot setback from the street or highway. Measurement shall be from the back of curb or edge of pavement where no curb is present.

For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the tent or canopy. Lot lines shall be either the inside edge of any fence or as determined by the inspector.

An unobstructed fire break passageway or fire road not less than 12 feet wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents, canopies and membrane structures unless otherwise approved by the fire code official.

**Means of Egress**

Exits shall be spaced at approximately equal intervals around the perimeter of the tent or canopy, and shall be located such that all points are 100 feet or less from an exit.

Tents or canopies shall have at least two (2) exits.

Exit signs are required over each exit.

The width of each exit shall not be less than 72 inches.

The required width of exits, aisles and passageways shall be maintained at all times to a public way. Guy wires, guy ropes and other support members shall not cross a means of egress at a height of less than 8 feet. The surface of means of egress shall be maintained in an approved manner.

**Combustible materials**

The areas within and adjacent to the tent shall be maintained clear of all combustible materials or vegetation that could create a fire hazard within 30 feet of the structure. Combustible trash shall be removed at least once a day from the structure during the period the structure is occupied by the public.

**Smoking**

Smoking shall not be permitted in tents or canopies. Approved "No Smoking" signs shall be conspicuously posted at each entrance.

**Fireworks discharge**

Fireworks shall not be ignited, discharged, or otherwise used within 300 ft.

**Open or exposed flame**

Open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet of the tent or canopy.

**Fire Extinguishers**

Every fireworks stand shall have no fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type. Tents or canopies exceeding 4000 square feet will be required to have additional fire extinguishers. Fire extinguishers shall be located so as no more than 75 feet must be traveled from any location in the tent or canopy to reach a fire extinguisher. Fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel. Fire extinguishers shall not be obstructed or obscured from view. Fire extinguishers shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface. Fire extinguishers shall be installed so that it's top in not more than 4 feet above the floor.

**Clearance**

There shall be a minimum clearance of at least 3 feet between the fabric envelope and all contents located inside the tent or membrane structure

**Flammable and combustible liquids**

Flammable-liquid-fueled equipment shall not be used in tents or canopies.

Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet from tents or canopies.

Refueling shall be performed in an approved location not less than 20 feet from Tents or canopies.

Generators and other internal combustion power sources shall be separated from Tents or canopies by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means.

**Fire Inspection**

A fire inspection of the tent will be done using the "Springdale Fire Department Retail Fireworks Tent Inspection Guide" (attached). Once these requirements are satisfied, the Springdale Fire Marshal's Office will approve the location for temporary fireworks sales. The retailer is responsible to adhere to all of the included and referenced fire codes, statutes, ordinances, and safety regulations.

Revised 03/10/2020

# **NOTICE TO THE PUBLIC**

**The discharge of bottle rockets, sky lanterns or fireworks that travel on a stick is prohibited in the City of Springdale.**

## **Fireworks Stands Electrical Safety Regulations**

All electrical work shall be performed by an electrician licensed by the State of Arkansas and must meet the National Electrical Code, specifically articles 525 & 590

1. All 15 and 20- ampere receptacles in “WET OR DAMP LOCATIONS” must be GFCI protected; this may be accomplished with a GFCI breaker or a GFCI type receptacle.
2. All wiring and equipment used outside shall be listed for “WET LOCATIONS” and be “SUNLIGHT RESISTANT”.
3. All extension cords shall be of the 3 wire type and be “HEAVY DUTY” rated. Cords shall be installed so that no tripping hazard is created or splices are on the ground.
4. All wiring must be protected from damage in an approved manner.
5. NM Cable (ROMEX) shall not be used.
6. Lamps must be supported and protected from contact in an approved manner.
7. Wiring must be supported in approved means (vegetation not allowed as support).
8. Receptacles and switches must be installed with required grounding and mounted in an approved box with proper covers.
9. All energized electrical equipment shall be protected from contact (all panel covers must be installed).

*The inside of tents or under a pavilion is considered a “DAMP” location*

**Questions may be directed to the Arkansas Department of Labor, Board of Electrical Examiners 501-682-4548 or can be emailed to [charles.covington@arkansas.gov](mailto:charles.covington@arkansas.gov)**

## Springdale Fire Department Retail Fireworks Tent Inspection Guide

### Sales

- Must have a permit from the City
- Post a sign- **"The discharge of bottle rockets, sky lanterns, or fireworks that travel on a stick is prohibited in the City of Springdale."**
- "No Smoking"** signs shall be posted at each entrance

### Location

- 20 feet from lot lines, buildings, other tents, parked vehicles, generators or internal combustion engines
- 250 feet from fuel dispensing facility
- 50 feet set back from street or highway
- 12 feet wide fire break or fire road on all sides of the tent
- 3 feet of clearance between tent and all contents inside the tent
- Combustible material or vegetation shall be cleared 30 feet from tent
- Fireworks cannot be discharged within 300 feet
- Flammable liquids must be stored at least 50 feet from tent
- Open flame, fire or heat from any cooking device shall not be located within 20 feet of tent
- Support ropes and guy wires are considered part of the tent

### Means of Egress

- Exits shall be spaced at approximately equal intervals; all points are 100 feet or less from an exit
- 2 exits at least 72 inches wide required with exit sign over each
- Required width of exits, aisles and passageways shall be maintained, guy wires or ropes shall not cross a means of egress at a height less than 8 feet

### Fire Extinguishers

- At least 2 extinguishers with a 2A rating: 1 of which must be a pressurized water extinguisher
- 75 feet or less travel distance
- Fire extinguishers must be on normal paths of travel and not obstructed from view
- Fire extinguishers need to be mounted to a secure surface no higher than 4 feet from the floor
- Tents exceeding 4000 sq. ft. must have additional fire extinguishers

### Electrical

- Extension cords and other temporary wiring must be in good condition, suitable for imposed loads, and appropriate for outdoor (damp location) use
- Wiring and cords must be adequately supported



That which is underlined has been added, that which is marked through has been deleted.

ORDINANCE NO. 3210

**AN ORDINANCE AMENDING ARTICLE III, SECTION 46-56, OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, PERTAINING TO FIREWORKS.**

**WHEREAS**, the City Council for the City of Springdale, Arkansas, finds that certain codes of the City of Springdale, Arkansas are in need of amendment, to more efficiently enforce ordinances involving fireworks within the City of Springdale;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS**, that Article III, Section 46-56, entitled Fireworks as contained in the Springdale Code of Ordinances shall be amended to read as follows:

**Sec. 46-56. Fireworks.**

(a) No person shall sell or distribute in the City of Springdale, Arkansas, any firecrackers, sky rockets, bottle rockets, sparklers, roman candles, or any other explosive used for amusement purposes, or any other device or composition used to obtain visible or audible pyrotechnic display.

(b) (1) No person shall possess or discharge at any place, public or private, within the city boundaries of Springdale, Arkansas, any aerial firework(s) which travels on a stick, except a permit may be obtained for a public display of fireworks, as more particularly set out in this ordinance.

(2) The fire chief shall permit the use of fireworks for a public display when all provisions of NFIPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized except between the hours of 8:00 a.m. and ~~10:00~~ 11:00 p.m. on July 1<sup>st</sup> through July 4<sup>th</sup> of any year.

(c) No fireworks, including firecrackers, sparklers, or roman candles may be discharged within the City of Springdale, Arkansas, except as set out as follows:

(1) All legal fireworks, except aerial fireworks that travel on a stick, may be discharged on private property between the hours of 8:00 a.m. and 10:00 p.m. on July 1<sup>st</sup> through July 4<sup>th</sup> of any year, provided that the owner of the private property consents to such discharge of the fireworks; and

(2) A person of at least 21 years of age shall supervise the discharge of any fireworks if any person participating in the activity is under the age of 16.

Nothing else in Article III, Section 46-56 is amended, except those specific sections set out herein.


PASSED AND APPROVED this 14th day of Ma y, 2002.

  
Jerry M. Van Hoose, Mayor

ATTEST:

  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
Jeff C. Harper, CITY ATTORNEY

That which is underlined is added, that which is marked through is deleted

**ORDINANCE NO. 3339**

**AN ORDINANCE AMENDING SECTION 46-56, "FIREWORKS" IN THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, ARKANSAS, TO ALLOW FOR THE SALE OF CERTAIN FIREWORKS UNDER CERTAIN CONDITIONS IN THE CITY OF SPRINGDALE, ARKANSAS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Council for the City of Springdale, Arkansas, finds that since fireworks are permitted to be discharged within the City, under certain circumstances, fireworks should also be allowed to be sold within the City of Springdale, Arkansas;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**Section 1.** Section 46-56 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

**Sec. 46-56. Fireworks.**

(a) (1) No person shall sell or distribute in the City of Springdale, Arkansas, any firecrackers, sky rockets, bottle rockets, sparklers, roman candles, or any other explosive used for amusement purposes, or any other device or composition used to obtain visible or audible pyrotechnic display, except as specifically set out herein.

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. §20-22-701, et. seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. §555.11) may be sold in the City of Springdale, Arkansas, between June 28<sup>th</sup> and July 5<sup>th</sup> of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the City of Springdale must obtain a permit through the City Clerk's Office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the Springdale Fire Department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the City Clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for One Million Dollars premises liability.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the City of Springdale. Further, no fireworks stand shall be located anywhere within the City of Springdale, except in a C-2 zone. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2000 International Fire Code

and the 2002 Arkansas Fire Prevention Code, as adopted by the City of Springdale, Arkansas.

(a) (4) No person selling fireworks within the City of Springdale shall be allowed to sell any fireworks which travels on a stick, as these particular fireworks are prohibited to be discharged within the City of Springdale.

(a) (5) No fireworks stand shall be located within 250 feet of a fuel dispensing facility and all fireworks stands must have at least 50 foot setback from the street or highway.

(a) (6) No person under the age of 16 shall be allowed to purchase fireworks within the City of Springdale, Arkansas.

(a) (7) All locations where fireworks are sold within the City of Springdale shall post a sign, visible to the public, which states, "The discharge of bottle rockets or fireworks that travel on a stick are prohibited in the City of Springdale."

(b) (1) No person shall possess or discharge at any place, public or private, within the city boundaries of Springdale, Arkansas, any aerial firework(s) which travels on a stick, except a permit may be obtained for a public display of fireworks, as more particularly set out in this ordinance.

(b) (2) The fire chief shall permit the use of fireworks for a public display when all provisions of ~~NFPA~~ NFPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized except between the hours of 8:00 a.m. and 11:00 p.m. on July 1st through July 4th of any year.

(c) No fireworks, including firecrackers, sparklers, or roman candles may be discharged within the City of Springdale, Arkansas, except as set out as follows:

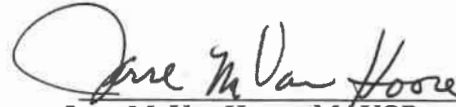
(c) (1) All legal fireworks, except aerial fireworks that travel on a stick, may be discharged on private property between the hours of 8:00 a.m. and 10:00 p.m. on July 1st through July 4th of any year, provided that the owner of the private property consents to such discharge of the fireworks; and

(c) (2) A person of at least 21 years of age shall supervise the discharge of any fireworks if any person participating in the activity is under the age of 16.

**Section 2.** In no other respects is the ordinance amended, except as specifically set out herein.

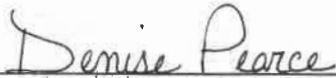
**Section 3.** Except for the provisions related to the \$500.00 permit fee and the fire inspection required, nothing else in this ordinance shall apply to the fireworks stand located at Highway 412 West and Jones Road, for the remaining years in which they were grandfathered under Ordinance No. 3213, which means the other provisions of this ordinance shall not apply to this location during the years 2003 and 2004.

**PASSED AND APPROVED** this 10<sup>th</sup> day of June, 2003.



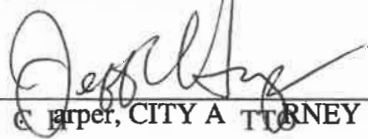
\_\_\_\_\_  
Jerre M. Van Hoose, MAYOR

**ATTEST:**



\_\_\_\_\_  
Denise Pearce, CITY CLERK

**APPROVED AS TO FORM:**



\_\_\_\_\_  
Jeff Harper, CITY ATTORNEY

ORDINANCE NO. 3689

**AN ORDINANCE AMENDING SECTION 46-56 OF THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, TO DECLARE AN EMERGENCY, AND FOR OTHER PURPOSES.**

WHEREAS, the City Council for the City of Springdale finds that Section 46-56 of the Code of Ordinances for the City of Springdale, Arkansas is in need of amendment to allow the zones in which fireworks can be sold to be expanded to C-5 and A-1 zones;


NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Sections 46-56(a)(2) and 46-56(a)(3) shall be amended to read as follows:

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et. seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11) may be sold in the city between June 28<sup>th</sup> and July 5<sup>th</sup> of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the city fire department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the Fire Marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the city. Further, no fireworks stand shall be located anywhere within the city, except in a C-2, C-5 or A-1 zone provided the A-1 property has frontage on a Federal or State highway. All locations where fireworks are sold must comply with all Arkansas and Federal law, as well as the 2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city.

**Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 24<sup>th</sup> day of May, 2005.

  
\_\_\_\_\_  
Jerre M. Van Hoose, MAYOR

ATTEST:

  
\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff C. Harper, CITY ATTORNEY

**ORDINANCE NO.** 4131

**AN ORDINANCE AMENDING SECTION 46-56  
ENTITLED THE FIREWORKS ORDINANCE.**

**WHEREAS**, Section 46 of the Springdale Code of Ordinances, contains regulations pertaining to the use of fireworks in the City of Springdale, Arkansas; and

**WHEREAS**, Section 46-56(b)(2) of the Springdale Code of Ordinances provides that the fire chief shall permit the use of fireworks for a public display when all provisions of NFPA 1123 are met and after all necessary permits have been issued and further that no such permit shall be authorized except on July 1<sup>st</sup> through July 4<sup>th</sup>; and

**WHEREAS**, there is a desire to provide fireworks for public display during other days of the year at professional sporting events;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Section 46-56 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 46-56. Fireworks.**

(a) (1) No person shall sell or distribute in the city any firecrackers, sky rockets, bottle rockets, sparklers, roman candles, or any other explosive used for amusement purposes, or any other device or composition used to obtain visible or audible pyrotechnic display, except as specifically set out herein.

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11) may be sold in the city between June 28<sup>th</sup> and July 5<sup>th</sup> of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the city fire department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the fire marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the city. Further, no fireworks stand shall be located anywhere within the city, except in a C-2, C-5 or A-1 zone provided the A-1 property has frontage on a federal or state highway. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city.

(a) (4) No person selling fireworks within the city shall be allowed to sell any fireworks which travels on a stick, as these particular fireworks are prohibited to be discharged within the city.

(a) (5) No fireworks stand shall be located within 250 feet of a fuel dispensing facility and all fireworks stands must have at least 50 foot setback from the street or highway.

(a) (6) No person under the age of 16 shall be allowed to purchase fireworks within the city.

(a) (7) All locations where fireworks are sold within the city shall post a sign, visible to the public, which states, "The discharge of bottle rockets or fireworks that travel on a stick are prohibited in the City of Springdale."

(b) (1) No person shall discharge at any place, public or private, within the city boundaries, any aerial firework(s) which travels on a stick, except a permit may be obtained for a public display of fireworks, as more particularly set out in this section.

(b) (2) The fire chief shall permit the use of fireworks for outdoor a public display when all provisions of NFPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized ~~except between the hours of 8:00 a.m. and 11:00 p.m. on July 1<sup>st</sup> through July 4<sup>th</sup> of any year.~~ for the following:

A. Between the hours of 8:00 a.m. and 11:00 p.m. on July 1<sup>st</sup> through 4<sup>th</sup> of any year; or

B. At professional sporting events in a P-1 zone provided that the property adjacent to the P-1 zone is commercial or agricultural between the hours of 6:00 p.m. and 11:00 p.m. on April 1<sup>st</sup> through September 15<sup>th</sup> of any year.

(c) No fireworks, including firecrackers, sparklers, or roman candles may be discharged within the city except as set out as follows:

(c) (1) All legal fireworks, except aerial fireworks that travel on a stick, may be discharged on private property between the hours of 8:00 a.m. and 10:00 p.m. on July 1st through July 4<sup>th</sup> of any year, provided that the owner of the private property consents to such discharge of the fireworks; and

(c) (2) A person of at least 21 years of age shall supervise the discharge of any fireworks if any person participating in the activity is under the age of 16.

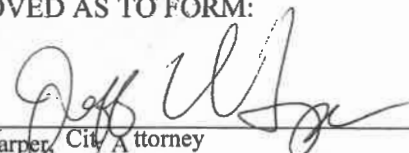
**PASSED AND APPROVED** this 13<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
Jerre M. Van Hoose, Mayor

ATTEST:

  
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff C. Harper, City Attorney



ORDINANCE NO. 4791

**AN ORDINANCE AMENDING SECTION 46-56 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 46-56 of the Code of Ordinances of the City of Springdale, Arkansas, contains the regulations pertaining to fireworks in the city limits of the City of Springdale, Arkansas;

**WHEREAS**, Section 46-56(a)(3) needs to be revised to reflect the current Fire Code adopted by the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interest of the citizens of the City of Springdale, Arkansas, to amend Section 46-56(a)(3) of the Code of Ordinances of the City of Springdale, Arkansas;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

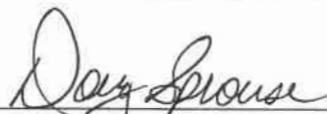
**Section 1:** Section 46-56(a)(3) of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

(a)(3) No fireworks shall be sold or stored within a permanent structure of the city. Further, no fireworks stand shall be located anywhere within the city, except in a C-2, C-5, C-6, or A-1 zone provided the A-1 property has frontage on a federal or state highway. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the most recent ~~2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city in Section 46-51.~~

**Section 2:** All other provisions of Section 46-56 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance, shall remain in full force and effect.

**Section 3: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 13<sup>TH</sup> day of MAY, 2014.

  
\_\_\_\_\_  
Doug Spruss, Mayor

ATTEST:

  
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney