

RESOLUTION 03-2021

A RESOLUTION PERTAINING TO THE SALE, HANDLING, USE OR STORAGE OF FIREWORKS WITHIN FINNEY COUNTY, KANSAS; ESTABLISHING REGULATIONS, THEREFORE; AND REPEALING FINNEY COUNTY RESOLUTION 09-2015.

WHEREAS, the Board of County Commissioners of Finney County, Kansas, has, in its judgment, determined that the sale, handling, use, and storage of certain fireworks within Finney County, Kansas are a hazard to the citizens of the County; and

WHEREAS, K.S.A. 31-134 authorizes the Board of County Commissioners to regulate or prohibit the sale, handling, use, or storage of fireworks within the boundaries of the County; and

WHEREAS, K.S.A. 19-101, et seq., defines the County Commissioners power of local legislation and authority for enforcement of Resolution; and

WHEREAS, Finney County Resolution 09-2015, was adopted June 1, 2015, to establish standards and permit requirements related to the sale, handling, use, and storage of fireworks.

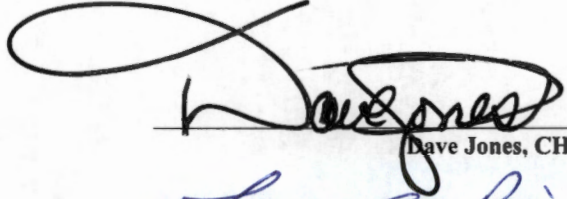
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Finney County, Kansas, that effective upon publication hereof, the sale, handling, use, and/or storage of fireworks as hereafter defined, shall be and are hereby regulated in the unincorporated areas of Finney County, as follows:

- a) The Kansas Fireworks Act, Kansas Statutes Annotated, Chapter (31), Article 5 (K.S.A. 31-501 to 31-513) are incorporated herein and adopted by reference in their entirety.
- b) The Kansas Administrative Regulations (K.A.R.) 22-6-1 through 22-6-27, promulgated pursuant to the authority granted in K.S.A. 31-506, are incorporated by reference and adopted in their entirety.
- c) All rules and regulations adopted by K.A.R. 22-6-1 through 22-6-27 incorporating by reference nationally recognized fire prevention codes that are in effect as of the effective date hereof are hereby adopted.
- d) Any person(s), organization, or other lawful entity desiring to sell authorized fireworks in Finney County, Kansas, shall, at least two (2) weeks prior to the first date for the sale of said fireworks, obtain an application from the County Clerk and, upon proper completion, payment of fees, and verification by the Fire Chief that the applicant is in compliance with all laws, a permit shall be issued by the Clerk of Finney County, Kansas, authorizing such person(s), organization, or other lawful entity to do so. The person(s), organization, or other lawful entity shall pay \$100.00 for said permit. The fee for a permit purchased less than two (2) weeks prior to the first date of sale of said fireworks shall be \$200.00.
- e) An organization may obtain a permit from the Clerk of Finney County, Kansas, allowing such organization to store, handle, use, but not sell fireworks which are commonly used in

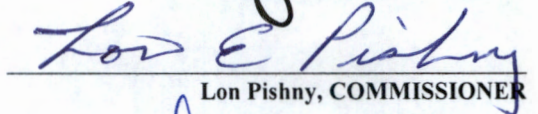
commercial fireworks displays within Finney County, under the following terms and conditions:

1. Permits issued hereunder shall be valid for one (1) day only, and the date shall be specifically stated on such permit.
 2. Any permit issued hereunder shall be valid only at a location specifically stated on the permit issued hereunder.
 3. Payment of a \$100.00 fee for each permit to the Clerk of Finney County, Kansas.
 4. All permits shall be obtained at least two (2) weeks prior to any display. **Permits obtained less than two (2) weeks prior to any display shall be \$200.00.**
 5. Permits shall be issued only to those organizations wishing to provide a display of fireworks for the public, and any such display must be supervised by a competent adult experienced in the use and display of fireworks. The Fire Chief must approve the supervising adult prior to obtaining a permit.
 6. Any organization seeking a permit must show to the Clerk of the County proof of insurance insuring against bodily injury and property damage in the amount of \$500,000.00 by single limit policy for damages arising out of accidents during the fireworks display.
- f) Any person(s), organization, or other entity found to sell fireworks prohibited by this Resolution, or any person(s), organization, or other entity found to have in his, her or its possession any fireworks prohibited by this Resolution, shall be fined in an amount not less than \$200.00 nor more than \$500.00 per occurrence. Any person(s), organization, or other entity found to have violated this Resolution shall forfeit his or her permit and shall not be eligible to have a permit reissued.
- g) It shall be unlawful for any person, organization, or other entity to sell fireworks approved for sale herein on days other than June 27, 2021, through July 5, 2021, from 8:00 a.m. to 11:00 p.m. and each time, day, and year thereafter.
- h) It shall be unlawful for any person(s), organization, or other entity to discharge fireworks on days other than July 1, 2021, through July 5, 2021, from 11:00 a.m. to 11:00 p.m. and each time, day, and year thereafter.
- i) This Resolution shall take effect upon its publication in the Official County Newspaper.
- j) Finney County Resolution 09-2015 is hereby repealed.

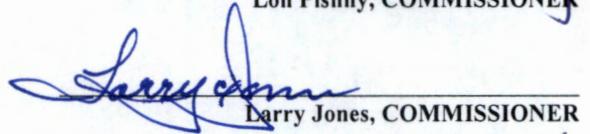
**RESOLVED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
FINNEY COUNTY, KANSAS, THIS _____ DAY OF APRIL 2021.**



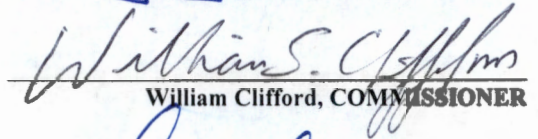
Dave Jones, CHAIRMAN



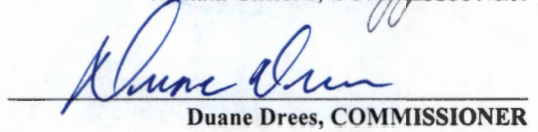
Lon Pishny, COMMISSIONER



Larry Jones, COMMISSIONER



William Clifford, COMMISSIONER



Duane Drees, COMMISSIONER

ATTEST:





Dori J. Munyan, COUNTY CLERK