

ORDINANCE NUMBER EIGHTY-THREE

DEFINING AND PROHIBITING THE SALE, OFFERING FOR SALE. GIVING AWAY, OFFERING TO GIVE AWAY OR EXHIBITING OF FIRE-WORKS WITH INTENT TO SO DISPOSE OF THE SAME;

PROHIBITING THE FIRING OR EXPLODING OF FIRE-WORKS UNLESS A PERMIT TO SO FIRE OR EXPLODE SUCH FIRE-WORKS SHALL HAVE BEEN OBTAINED FROM THE TOWN COUNCIL; PROVIDING FOR THE ISSUANCE OF SUCH PERMIT BY SUCH COUNCIL; NAMING CERTAIN EXPLOSIVE DEVICES NOT SUBJECT TO THE TERMS HEREOF, AND PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION 1.-- DEFINITION OF TERMS. That for the purposes of this ordinance, the word "person" shall mean and include any natural person, and any firm, company, corporation, association, or other group of persons acting as a unit, in the plural as well as the singular number; and the word "fire-work" or "fire-works" shall mean and include and shall apply to any and all rockets, squibs, torpedoes, crackers, grenades, caps, or any other device consisting of combustible or explosive material of a type commonly used for producing in combustion either loud noise or a display of lights and colors, whether such material is enclosed in paper cartridges or otherwise; and unless another meaning is clearly indicated by the context, and except as hereinafter otherwise provided, neither of the aforesaid words or terms, as employed in this ordinance, shall be construed otherwise than as herein defined.

SECTION 2.-- PROHIBITING THE SALE OF FIRE-WORKS; EXCEPT BY WHOLESALERS. That it shall be unlawful for any person, as hereinbefore defined, to sell or offer for sale, or give away or offer to give away any fire-works within the town of Mills or to exhibit fire-works or to possess the same with intent to dispose of such fire-works in any such manner as aforesaid, except that this section shall not be construed as prohibiting the wholesaling of fire-works within the said Town for use or distribution wholly outside the corporate limits thereof, or to the sale, storage or use of railroad torpedoes or other signalling device when used or possessed for the purpose for which such device is intended, nor to the sale, storage or use of flashlight composition by photographers, or by dealers in photographic supplies.

SECTION 3.-- PROHIBITING THE FIRING OR EXPLODING OF FIRE-WORKS, EXCEPT BY PERMIT BY THE TOWN COUNCIL.

That it shall be unlawful for any person to explode or fire any fire-work within the town of Mills, or to possess any fire-work or fire-works for the purpose and with the intention of firing or exploding the same, except as provided in a subsequent section, or by permit issued by the Town Council as hereinafter provided and under such supervision and regulation as the said Council ~~it~~ shall direct.

SECTION 4.-- PUBLIC EXHIBITIONS AND DISPLAYS BY PERMIT ISSUED BY THE TOWN COUNCIL.

That for the purpose of public entertainment, and during the week of July Fourth or other National holiday, any person or organization of persons, desiring to present a display, exhibition, or demonstration of fire-works may be permitted to do so by applying personally to any member of the Town Council or to the Town Marshal or Fire Warden for such permission; provided that such application shall be made to such official sufficiently far in advance of intended display to permit the Town Council, as a body, to consider the matter; and provided further that if the said Council for any reason believes the intended display might endanger the person or property of any resident of the town of Mills, or property of the Town itself, or that for any other reason the intended display would be undesirable or contrary to the best interests of the Town, or if either the Town Marshal or the Fire Warden protests against the issuance of a permit for such display, the Town Council shall refuse to grant any such permit, or shall grant such permit subject to such regulation and supervision as the said Council and the protesting officer shall deem sufficient to safely preserve all persons and property from danger of harm or other annoyance; provided further that in either case the decision of the Town Council shall be fully authorized to govern, and shall be recorded by the Town Clerk in the minutes of the meeting of the said Council and any person failing to obey the mandate of such decision shall be guilty of a violation of this section and subject to penalty accordingly.

DEFINING AND PROHIBITING THE SALE, OFFERING FOR SALE, GIVING AWAY, OR POSSESSING FOR SUCH DISPOSAL, ANY FIRE-WORKS, ETC., - - - -

SECTION 5.-- RAILROAD SIGNALLING DEVICES AND PHOTOGRAPHIC SUPPLIES NOT SUBJECT TO THIS ORDINANCE.

That the terms and provisions and prohibitions of this ordinance shall not be construed as prohibiting the storing or use of railroad torpedoes or other signalling devices, or of flash-light composition or other photographic supplies, unless such articles or supplies are used or possessed for use for purposes other than those for which the said articles or supplies are intended.

SECTION 6.-- PENALTY FOR VIOLATION. That any person violating any section or provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not more than One Hundred (\$100.00 dollars, and not less than Five (\$5.00) dollars for each and every such offense.

SECTION 7. That this ordinance shall take effect and become in force from and after its being posted up for a period of ten days as required by law.

PASSED AND APPROVED THIS FIFTEENTH DAY OF JUNE, A. D. 1949.

SEAL)

Signed William W. Klapp
Mayor

Attested G. Martha Kethley
Town Clerk

I, G. Martha Kethley, Town Clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number Eighty-three, entitled: "~~Defining and Prohibiting of Fire-works with intent to so Dispose of the Same; Prohibiting~~ the Sale, Offering for Sale, Giving Away, Offering to Give Away or Exhibiting of Fire-works, ~~etc.,~~" with intent to so Dispose of the Same; Prohibiting the Firing or Exploding of Fireworks, etc.," approved and passed by the Town Council of the Town of Mills, at a special meeting thereof, duly and regularly called therefore, held the Fifteenth day of June, A.D., 1949, and that the ayes and nays were taken and entered upon the journal of the said Town Council.

Signed G. Martha Kethley

I, Regularly appointed and qualified Town Clerk of the town of Mills, Wyoming, and acting in that capacity, do hereby certify that signed, attested, sealed and certified copies of this ordinance (No. Eighty-three) approved and passed as certified above, were, following its enactment by the Town Council, by me posted up in three public places within the town of Mills for a period of ten days as required by law; and that this ordinance did take effect and become in force as a legal ordinance of the town of Mills, the 5th Day of July, 1949.

Signed G. Martha Kethley