

Ordinance 2022-O-008

**AMENDMENT TO ORDINANCE NO: 2016-O-002 FOR THE CITY OF BLANCO, TEXAS,
PROHIBITING THE SALE OR USE OF FIREWORKS WITHIN CITY LIMITS**

AN ORDINANCE AMENDING ORDINANCE NO: 2016-O-002, CODIFIED AT ARTICLE 6.02, SECTION 6.02.005, PARAGRAPH (3) OF THE CODE OF ORDINANCES FOR THE CITY OF BLANCO, TEXAS, PROHIBITING THE SALE OR USE OF FIREWORKS WITHIN CITY LIMITS WHEN A BURN BAN IS DECLARED AND THEN IN EFFECT IN BLANCO COUNTY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Blanco, Texas, is a Type A general-law municipality located in Blanco County, Texas, was created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, the City Council has determined that the use of fireworks while a burn ban is then declared and in effect in Blanco County, Texas constitutes a nuisance and can lead to health and safety hazards; and

WHEREAS, the City Council finds that this amendment is necessary to promote the health and safety of the citizens.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO, TEXAS:

SECTION 1. AMENDMENT

ORDINANCE NO: 2016-O-002, CODIFIED AT ARTICLE 6.02 FIREWORKS, SECTION 6.02.005, PARAGRAPH (3) of the City of Blanco Code of Ordinances is revised and amended to add and read, in the introductory clause thereof, the underscored language set forth hereinbelow, as follows:

(3) Unless a burn ban is then declared and in effect in all or part of Blanco County, Texas, it shall not be an offense under this Ordinance for any person to set off fireworks on their private property on the following dates and times: (1) New Year's Eve beginning at 12 noon until 1 a.m. on January 1st of the next calendar year; and (2) July 4th beginning at 12 noon and continuing until 1 a.m. of July 5th of the same calendar year.

SECTION 2. CUMULATIVE

This Ordinance be and hereby is cumulative of all other provisions and/or ordinances of the City of Blanco, Texas, except where the provisions of those ordinance(s) are in direct conflict with the provisions of this Ordinance. In the event of a conflicting provision(s) of another Ordinance(s), the provisions of this Ordinance shall prevail.

SECTION 3. SEVERABILITY

It is hereby declared that it is the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be and hereby are declared severable. Accordingly, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid final judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4. SAVINGS

All rights and remedies of the City of Blanco are expressly saved as to any other ordinances affecting nuisances which have accrued at the time of the effective date of this Ordinance.

SECTION 5. PUBLICATION

The City Secretary of the City of Blanco shall publish in the official newspaper of the City of Blanco, the caption and effective date clause of this Ordinance as authorized by Section 52.011 of the Local Government Code.

SECTION 6. EFFECTIVE DATE

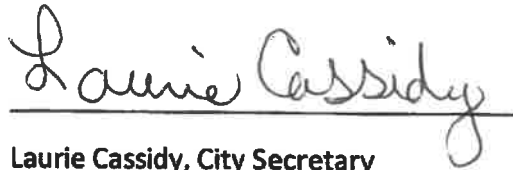
This Ordinance be and hereby shall be in full force and effective after its passage by the City Council for the City of Blanco and its publication as provided by law.

PASSED AND APPROVED ON THIS 12 DAY OF JULY 2022.



Rachel Lumpee, Mayor

ATTEST:



Laurie Cassidy, City Secretary

