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Legal

ORDINANCE NO. 85-1980

AN ORDINANCE AMENDING CHAPTER 19, "OFFENSES-MISCELLANEOUS," OF THE ABILENE MUNICIPAL CODE; BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 19, "Offenses-Miscellaneous," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense.

PART 4: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring ordinances to be read on two (2) separate days, in that immediate passage of said ordinance is necessary for the preservation of the public peace, safety and welfare to-wit: a planned fireworks display that will have a beneficial impact on the City of Abilene cannot be held unless this ordinance is amended; and said rule is hereby suspended and this emergency ordinance, being a penal ordinance, shall take effect immediately upon publication.

PASSED this 28th day of August, A.D. 1980.

ATTEST:

Ruth Hagan  
CITY SECRETARY

Edwin Howard  
MAYOR

APPROVED:  
Stanley Cuyell  
CITY ATTORNEY

10a-2

EXHIBIT "A"

Sec. 19-15. Fireworks.

DELETE: paragraph (b), as follows:

(b) There shall be one public display of fireworks on the fourth of July of each year under the supervision and direction of the fire department and at a time and place and sponsored by an organization to be designated by the City Council at a time prior to July fourth.

ADD: new paragraph (b), as follows:

(b) The City Council may allow display of fireworks at a designated time and place when, in its opinion, said display is in the best interest of the City of Abilene. Any individual or corporation having a display of fireworks shall conform to all conditions and requirements set by the City Council.