

ORDINANCE NO. 1986  
CITY OF LEXINGTON, NEBRASKA

ORDINANCE NO. 1986

AN ORDINANCE TO AMEND SECTIONS 19-10 AND 20-6 OF THE LEXINGTON CITY CODE; TO REGULATE THE USE AND DISPLAY OF FIREWORKS IN PARKS AND CONGESTED AREAS; TO REPEAL ORIGINAL SECTION 19-10, 20-6 AND ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

**Section 1.** The City Council hereby finds that the use, discharge or display of fireworks in crowded or congested areas creates a hazard to public health and safety, and constitutes a nuisance which should be controlled and abated.

**Section 2.** That Section 19-10 of the Lexington City Code is hereby amended to read as follows:

Sec. 19-10 Fireworks--Permit for Display; Other Use Prohibited;

Any person desiring to have or to hold a fireworks display within the City shall file with the City Clerk an application in writing for a permit therefor, which application shall set forth and specifically designate the place where such fireworks display is to be held, the kind and quantity of fireworks to be used, the time thereof and the person to have supervision thereof, and the City Manager and City Clerk may thereupon issue, or refuse to issue, a permit in writing for the holding of such fireworks display, excluding all firecrackers, at the time and place and under the supervision of the person as set forth in the application, and upon the issuance of any permit may require such additional supervision as shall be deemed necessary or proper, which requirement shall be stated in the permit.

For any fireworks display permit issued pursuant to this Section, the City Manager shall have authority to designate an area for public observation of such fireworks display, and shall post reasonable notice of such observation area. During the time of such fireworks display it shall be unlawful for any other person to have in his possession, to set off or otherwise cause to discharge or burn any fireworks within such area, or to discharge or throw fireworks into such area from any adjacent land or highway.

**Section 3.** That Section 20-6 of the Lexington City Code shall be amended to read as follows:

Sec. 20-6 Park Rules; Destruction of Property and Fireworks.

No person in a park or cemetery shall:

(a) Buildings and Other Property.

- (1) **Disfiguration and Removal.** Willfully mark, deface, disfigure, injure, tamper with or displace or remove any building, tables, benches, fireplaces, railings, cemetery monuments, stones or markers, other public utilities or parts or appurtenances thereof, of signs, notices, placards, monuments, whether temporary or permanent, or other structures or equipment facilities of park and cemetery property or appurtenances whatsoever, either real or personal.
- (2) **Restrooms and Washrooms.** Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
- (3) **Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or operate any business in or upon, string any public service utility into, upon or across such lands, except on special written permit issued by the City Manager.**

(b) Trees, Shrubberies and Lawns. Damage, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant.

(c) Fireworks. Have in his possession, set off or otherwise cause to discharge or burn any fireworks, or discharge or throw fireworks into such Park or cemetery from any adjacent land or highway.

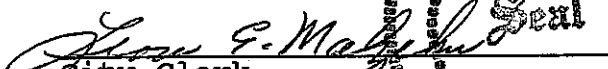
**Section 4.** That original Sections 19-10 and 20-6, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

**Section 5.** That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 14th day of September, 1993.

  
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Mayor

Attest:

  
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City Clerk



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