



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 28, 2019

Department Park

Director Approval Barbara Beurskens

AGENDA ITEM Consider an ordinance amending City Code Section 46-104 Dealing with Unlawful Discharge of Fireworks.

SUMMARY RECOMMENDATION Approve ordinance regarding amending City Code Section 46-104 as recommended by the Park Board and approved by the City Commission at the February 28th, 2019 Meeting.

BACKGROUND Fireworks in the past were allowed in the park except in the playground area and the zoo. In 2015, the City Commission approved limiting the area of the oval at the park for shooting off fireworks. There have been several fires in trash cans and dumpsters that have occurred at the oval along with three to four reported injuries, some severe. Several residents have requested banning fireworks so they can come to the park and enjoy the commercial display. After research on surrounding cities the only city that allows fireworks in the park is Cherryvale.

The City Attorney contacted Brent Julian, City Recreation Commission Director and he recommended adding the ballfields to this ordinance along with the City parks.

BUDGET IMPACT The average cost to the park for set-up, clean-up and trash dumpster(s) is \$500 to \$600 per year.

SUGGESTED MOTION I move to approve signing Ordinance No. 4294, amending City Code Section 46-104 Dealing with Unlawful Discharge of Fireworks.

SUPPORTING DOCUMENTS Ordinance No. 4294

ORDINANCE NO. 4294

**An Ordinance Amending City Code Section 46-104
Dealing with Unlawful Discharge of Fireworks**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. City Code Section 46-104 is hereby amended to read as follows:

It shall be unlawful for any person to discharge any fireworks on or within any of the following locations:

- (a) Within the fire limits of the City as that term is defined in City Code Section 18-1;
- (b) Riverside Park and Ralph Mitchell Zoo;
- (c) Mount Hope Cemetery;
- (d) Dog Park located in 700 block of North Park Blvd on East side of road;
- (e) Celebration Park located at Penn & Chestnut;
- (f) Coffeyville-Wald Park located at Coffeyville & Wald;
- (g) Pride Park located on the South side of 10th Street between Birch and Edison;
- (h) BPW Cristelle Wells Park located at Northeast corner of 19th and Poplar;
- (i) Central Park consisting of approximately 9.2 acres North of Sycamore Street between Penn Ave. and Park Blvd. encompassing the Skateboard Park and prospective soccer fields;
- (j) Emerson Field and Arco Field ballfields located on South 10th Street; and
- (k) Outdoor basketball court, Centennial Field, Clark James Field, T-ball Field, and Sinclair Field, all located in the 800-900 block of North Park Blvd.

The above prohibition shall not apply to a properly licensed commercial fireworks display contracted for by the City of Independence, Kansas.

Section 2. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the ____ day of _____, 2019.

LOUIS YSUSI, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk