

City of McMinnville, Tennessee



ORDINANCE NO. 1557

AN ORDINANCE of the City of McMinnville, Tennessee, to amend certain sections of Title 7 Chapter 5 Fireworks of the McMinnville Municipal Code of McMinnville, Tennessee; repeal any provision in the Code of Ordinances in conflict with this ordinance; to provide for a severability clause; to provide for a superseding clause; and to express the time when the ordinance shall become effective.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MCMINNVILLE, TENNESSEE, THAT:

Section 1. Amend Section 7-504. (1) and (2) in their entirety and add new Section 7-504. (1) and (2) a, b, and c.

- (1) Any person, as defined herein, desiring to store and/or sell fireworks within the corporate limits of the City of McMinnville shall make application for a permit to do so on forms provided for that purpose. The fee for the City fireworks permit shall be \$500.00 for any structure or any tent, trailer or other temporary structure used for the sale of fireworks, up to 1,200 square feet and all over 1,200 square feet an additional 50¢ per square foot.
- (2) The application shall include the name of the person making the application, the person, as defined herein, he represents, the business address of both the applicant and the person he represents, the address and description of the premises where the storage and/or the sale of fireworks is contemplated and any other information the Fire Chief or his designee deems pertinent to aid in the investigation of the application. The application shall also contain and include the following information:
 - (a) Site plan, to scale, which shall include the dimensions of the structure used for the sale of fireworks.
 - (b) A copy of the state fire marshal permit.
 - (c) Documentation of certificate of insurance with a minimum of \$1,000,000 in product liability and \$1,000,000 in general liability with the City of McMinnville being named as an additional insured on the general liability insurance policy.

Section 2. Amend Section 7-506 in its entirety and add a new Section 7-506.

7-506. Business and privilege licenses required and/or transient vendor license. The issuance of permits provided for herein shall not

replace or relieve any person of state, county or municipal business and privilege licenses as now or hereafter provided by law.

Section 3. All ordinances in conflict herewith and all provisions in the Code of Ordinances of the City of McMinnville in conflict herewith are hereby repealed in their entirety, to the extent of any conflict.

Section 4. Severability Clause - If any section, subsection, paragraph, sentence, item or clause of this ordinance shall for any reason be declared unconstitutional or invalid, such declaration shall not affect any other portion of this ordinance, it being the intent that the sections, subsections, paragraphs, sentences, items or clauses of this ordinance shall be treated as severable.

Section 5. This ordinance shall become effective from and after its final passage and publication of this ordinance and/or its caption, the welfare of the City requiring it.

Passed first reading: March 11, 2008

Passed second reading: March 25, 2008

APPROVED:

Mayor

APPROVED AS TO FORM:

City Attorney


Recorder

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