



City of Killeen

Legislation Details (With Text)

File #: OR-18-018 **Version:** 1 **Name:** Fireworks Ordinance Amendment
Type: Ordinance **Status:** Passed
File created: 11/19/2018 **In control:** City Council
On agenda: 12/18/2018 **Final action:** 12/18/2018
Title: Consider an ordinance amending the Killeen Code of Ordinances Chapter 11, "Fire Prevention and Protection" by removing the prohibition of use and sales of fireworks within the ETJ.
Sponsors: City Attorney Department, Fire Department
Indexes:
Code sections: Sec. 11-5. - Fireworks--prohibited use
Attachments: 1. Staff Report, 2. Ordinance, 3. Presentation

Date	Ver.	Action By	Action	Result
12/18/2018	1	City Council	Approved	Pass
12/11/2018	1	City Council Workshop		

Consider an ordinance amending the Killeen Code of Ordinances Chapter 11, "Fire Prevention and Protection" by removing the prohibition of use and sales of fireworks within the ETJ.

DATE: **December 11, 2018**
TO: **Ronald L. Olson, City Manager**
FROM: **Kathryn H. Davis, City Attorney**
SUBJECT: **Amending of Chapter 11**

BACKGROUND AND FINDINGS:

The Texas State Legislature amended the Texas Local Government Code, Section 217.042 to remove a municipality's ability to restrict fireworks within the extraterritorial jurisdiction. Our ordinance should be amended to reflect the current law.

THE ALTERNATIVES CONSIDERED:

1. Do not amend Chapter 11 regarding the sale of fireworks in the City's ETJ.
2. Amend Chapter 11 to come in to be consistent with state law.

Which alternative is recommended? Why?

City Staff recommends 2, amending Chapter 11, to be consistent with state law.

CONFORMITY TO CITY POLICY:

This amendment is in compliance with City policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

City Staff recommends the amending the City's Ordinance Chapter 11 to be consistent with state law.

DEPARTMENTAL CLEARANCES:

Fire Chief
Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance