

AN ORDINANCE AMENDING CHAPTER TWO "FIREWORKS" OF TITLE SEVEN OF THE CITY CODE OF POLSON, MONTANA, 1965, REGULATING THE SALE, POSSESSION AND USE OF FIREWORKS:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

Chapter 2 of Title 7 of the City Code of Polson, 1965, shall be amended to read as follows:

7-2-1 SALE, POSSESSION, AND USE OF FIREWORKS: (A) It shall be unlawful to sell, transport, or use any fireworks within the City, except as hereinafter provided.

(B) The term "fireworks" shall mean and include any combustible, or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include sky rockets, Roman candles, Daygo bombs, blank cartridge, toy cannons, toy guns in which explosives other than toy paper caps are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sparklers or other fireworks of like construction, and any fireworks containing any explosive or flammable compound or any tablets or other device containing any explosive substance. Nothing in this law shall be construed as applying to toy paper caps containing not more than twenty-five Hundredths (.25) of a grain of explosive composition per cap, and to the manufacture, storage, sale or use of signals necessary for the safe operation of railroads or other classes of public or private transportation, nor applying to the military or navy forces of the United States or of this state, or to peace officers, nor as prohibiting the sale or use of blank cartridges for ceremonial, or theatrical, or athletic events.

(C) It shall be lawful for any individual, firm, partnership, corporation or association to possess for sale within the city, sell or offer for sale, at retail, or use, within the city of Polson, the permissible fireworks herewith enumerated.

Permissible fireworks shall include dangerous articles and, more specifically excluding sky rockets, Roman candles and Daygo bombs, firecrackers and bottle rockets:

- (1) Helicopter type spinners, total pyrotechnic composition not to exceed twenty (20) grams each in weight;
- (2) Cylindrical fountains, total pyrotechnic composition not to exceed twenty-five (25) grams each in weight, The inside tube diameter shall not exceed three-fourths (3/4) inch;
- (3) Cone fountains, total pyrotechnic composition not to exceed fifty (50) grams each in weight;
- (4) Wheels, total pyrotechnic composition not to exceed sixty (60) grams in weight, for each driver unit, but there may be any number of drivers on any one wheel. The inside bore of driver tubes shall not be over one-half (1/2) inch;
- (5) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed one hundred (100) grams each in weight;
- (6) Sparklers and dipped sticks, total pyrotechnic composition not to exceed one hundred (100) grams each in weight. Pyrotechnic composition containing any chlorate shall not exceed five (5) grams;
- (7) Whistles without report, total pyrotechnic composition not to exceed forty (40) grams each in weight;

It shall be unlawful for any individual under the age of eighteen (18) to possess for sale, sell or offer for sale, within the City of Polson, Montana, permissive fireworks herein enumerated.

It shall be unlawful for any wholesaler to sell or offer for sale, within the City of Polson, Montana, fireworks except as herein defined. It shall be lawful for said wholesaler, however, to transport said fireworks within the City of Polson for sale outside of the state of Montana.

(D) No person, firm or corporation shall offer fireworks of any kind as defined herein for sale at retail before the 24th day of June and after the 5th day of July.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are repealed.

EMERGENCY: A public emergency is hereby declared to exist and this Ordinance is hereby declared to be necessary for the immediate preservation of public peace, health and safety, and therefore this Ordinance shall be in full force and effect from and after passage and approval.

PASSED AND APPROVED this 17th day of June, 1974.

ATTEST:

/s/ Norene Mosley
MAYOR

/s/ Ardath E. Morton
CITY CLERK

ORDINANCE NO. 3488

AN ORDINANCE PROHIBITING OVERTAKING AND PASSING SCHOOL BUSES WHICH ARE STOPPED FOR THE PURPOSE OF RECEIVING OR DISCHARGING SCHOOL CHILDREN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

Chapter 2 of Title 10 of the City Code of Polson, 1965, shall be amended by adding sub-section (U) to Section 10-2-8, which Section shall read as follows:

10-28(U); The driver of a vehicle upon a roadway within the corporate limits of the City of Polson, Montana, upon meeting or overtaking from either direction any school bus which is stopped on the roadway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on said bus a visual signal as specified in section 32-21-132 of the Revised Codes of Montana, 1947, and said driver shall not proceed until such school bus resumes motion, or is signaled by the school bus driver to proceed as the visual signals are no longer actuated.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EMERGENCY: A public emergency is hereby declared to exist and this Ordinance is hereby declared to be necessary for the immediate preservation of public peace, health and safety, and therefore this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 15th day of July, 1974.

ATTEST:

/s/ Norene Mosley
MAYOR

/s/ Ardath E. Morton
CITY CLERK