

ORDINANCE NO. 5169-25

**AN ORDINANCE AMENDING CHAPTER TEN, ARTICLE SIX OF THE
NEWTON CITY CODE CONCERNING FIREWORKS; AND REPEALING
SECTIONS ONE AND FIVE OF ORDINANCE 4226-97.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEWTON,
KANSAS:**

SECTION 1. Chapter 10, Article 6 of the Newton City Code shall be amended as follows:

10-601. Fireworks defined. For purposes of this Article, the term fireworks shall mean those items as defined under the rules and regulations of the Kansas State Fire Marshal as Class C Fireworks (1.3G) and as Common Fireworks (1.4G).

10-605. Permit requirements and conditions.

a) The city manager, or their designee, is authorized to issue permits for the public display of fireworks by responsible individuals or organizations when such display or displays shall be of such a character and so located and conducted so as not to be a fire hazard or endanger persons or surrounding property.

b) It shall be unlawful for any person, firm or corporation to give any public display of fireworks without having first obtained a permit thereof issued under the authority of this article.

c) No permit shall be issued if the location, nature of the fireworks or other relevant factor is such as to create an undue hazard or risk of harm or damage to persons or property.

d) The city manager, or his or her authorized agent, shall have the authority to revoke the permit or to prohibit all or any portion of any such public display if, in his or her opinion and under the circumstances then existing, an undue hazard or risk of harm or damage to persons or property exists or is being created.

e) Permit application shall be made not less than seven (7) days prior to the scheduled date of the display.

f) Public Display Fireworks, class C fireworks 1.3g (UN0335)

The application for the permit shall clearly state:

1. The name of the applicant.
2. The group or organization for which the display is planned.
3. The name, address and telephone number of the person designated as the agent of the group or organization as to all matters pertaining to the permit.
4. The date, time and location of the display.

5. The nature or kind of fireworks to be used with ignition type.
6. The name of the person, firm or corporation that will make the actual discharge of the fireworks.
7. Any anticipated need for police, fire or other municipal services.
8. Diagram of the grounds on which the display is to be held showing the point or points at which the fireworks are to be discharged; the location of buildings, highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions.
9. Copy of Display Operator Permit from the Kansas Office of the State Fire Marshal.
10. Proof that the applicant holds a policy or policies of public liability insurance coverage for the display in the following minimum amounts: \$500,000 for injuries or damages to anyone person in one accident or occurrence; \$1,000,000 for injuries to two or more persons in any one accident or occurrence; and \$1,000,000 combined single limit coverage for any one accident or occurrence. Such policy or policies must be issued by an insurance company or companies authorized to do business in the State of Kansas.

g. Use of 1.4g (UN0336 and UN0431) outside approved discharge dates and/or non-public 1.3g (UN0335)

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4. The date, time and location of the display.
5. The nature or kind of fireworks to be used.
6. The name of the person, firm or corporation that will make the actual discharge of the fireworks.
7. Any anticipated need for police, fire or other municipal services.
8. Diagram of the grounds on which the display is to be held showing the point or points at which the fireworks are to be discharged; the location of buildings,

highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions.

9. Copy of Display Operator Permit from the Kansas Office of the State Fire Marshal.

SECTION 2. Repealer. Ordinance No. 4226-97, Sections One and Five are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication in THE NEWTON KANSAN, the official newspaper of said City.

PASSED AND ADOPTED this 24th day of June, 2025.



Rich Stinnett, Mayor

ATTEST:



Denise R. Duerksen, City Clerk