

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY OF SNOOK, TEXAS, PROHIBITING THE SALE, DISPLAY, OR USE OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR DEFINITIONS, EXCEPTIONS, AND PENALTIES; REPEAL; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING.

WHEREAS, the City of Snook, Texas (“City”) is a General Law municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Snook, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, pursuant to Texas Local Government Code §342.003, the City has authority to prohibit or otherwise regulate the use of fireworks within the City; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order of the City and the health and safety of the citizens of the City to adopt the regulations herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNOOK, TEXAS THAT:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. DEFINITIONS

For the purposes of this Ordinance the following words and terms shall, when used, have the meaning given in this section.

“City” means the City of Snook, Texas.

“Firework” means any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including firecrackers, cannon crackers, skyrocketes, torpedoes, roman candles, sparklers, squibs, fire balloons, star shells, or any other device of like construction or containing any explosive or flammable compound. The term includes all articles or substances within the commonly

accepted meaning of fireworks, whether specifically designated and defined in this Ordinance or not.

The term does not include toy pistols, toy canes, toy guns, or other devices in which paper plastic caps are used, provided that no toy paper or plastic cap shall contain more than twenty-five hundredths of a grain of explosive content per cap.

“**Person**” means an individual, firm, organization, partnership, unincorporated association, corporation, or any other type of entity.

III. FIREWORKS PROHIBITED.

- (a) It shall be unlawful for any person to manufacture, assemble, store, transport, receive, keep, offer or have in his possession with intent to sell, use, discharge, cause to be discharged, ignite, detonate, fire, or otherwise set in action any fireworks of any description within the corporate limits of the City, except under a permit issued pursuant to this Ordinance.
- (b) It shall be unlawful for any parent or guardian of any minor child below the age of 14, or for any adult, to permit or allow such a minor child to use, discharge, ignite, detonate, fire, or otherwise set in action any fireworks.
- (c) This Ordinance does not prohibit a public or private demonstration or display of fireworks if conducted under proper police supervision after application is made and a permit is issued by the City for such demonstration or display. A permit shall not be granted unless the City determines that the demonstration or display is of such character and will be located, discharged, or fired in a manner that the demonstration will not endanger any person or be hazardous to property.

IV. EXCEPTIONS.

- (a) This Ordinance does not apply to (1) signal flares and torpedoes of the type and kind commonly used by any railroad and which signal flares and torpedoes are received by and stored or transported by any railroad or trucking company for use in railroad or trucking operations; and (2) fireworks only being transported through the City by railroad, or on any state or county-maintained roadway, by a licensed carrier.
- (b) This Ordinance does not apply to the sale or use of blank cartridges for ceremonial, theatrical, or athletic events.

V. PENALTIES.

Any person violating any provision of this Ordinance shall, upon conviction, be fined a sum not to exceed Five Hundred Dollars (\$500.00). Each day that a provision of this Ordinance is violated shall constitute a separate offense. An offense under this Ordinance is a misdemeanor.

VI. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

VII. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.


VIII. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

IX. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED THIS THE 28TH DAY OF JULY, 2025.



**HON. FRANK FIELDS, MAYOR
CITY OF SNOOK, TEXAS**

ATTEST:



**DAVID JUNEK, CITY ADMINISTRATOR/SECRETARY
CITY OF SNOOK, TEXAS**

